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U.S. Department of the Interior
Bureau of Land Management
Wyoming State Office

Rock Springs Field Office

May 1999

ENVIRONMENTAL ASSESSMENT for Wild Horse Gathering Inside and Outside Wild Horse Herd Management Areas



99-031215

I

MISSION STATEMENT

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/WY/PL-99/014-1060

WY-040-EA9-041

II



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Rock Springs Field Office
280 Highway 191 North
Rock Springs, Wyoming 82901-3448

1792,4710(040)

May 21, 1999

Dear Reader:

Enclosed you will find the Environmental Assessment (EA) which describes the impacts of gathering wild horses in the Rock Springs Field Office area. Gathering wild horses would take place in the Great Divide Basin, White Mountain, Little Colorado, and Salt Wells Creek Wild Horse Herd Management Areas (HMA) and in an area known as the North Baxter/Jack Morrow area (outside the HMAs). This EA is being distributed to the public for a 30-day public review period. Comments on the EA are due by June 21, 1999. Please send your comments to:

Wild Horse Gathering
BLM-Rock Springs Field Office
280 Highway 191 North
Rock Springs, Wyoming 82901

Comments may also be e-mailed to: Teri_Deakins@blm.gov

Comments, including the names and street addresses of respondents, will be made available for public review at the above address during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, except federal holidays) and may be published as part of the Decision Record. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from public disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as a representative or officials of organizations or businesses, will be made available for public inspection in their entirety.

Your comments will be considered before BLM issues the decision.

The Bureau of Land Management conducted public scoping on this action starting in early March and ending April 12, 1999. Two comment letters were received that identified issues or concerns. Those issues brought forth have been considered in the attached EA. In addition, a hearing was held on February 8, 1999 to address the use of helicopters and motor vehicles. In addition, BLM accepted comments on wild horse gathering. These comments have also been considered in the attached EA. No other substantive comments were received.

The enclosed EA complies with the National Environmental Policy Act of 1969. This action is in conformance with the existing land use plan, wild horse herd area management plans, and with the 1981 District Court Order.

The EA is available at Rock Springs Field Office (formerly called the Green River Resource Area) in Rock Springs, and in the Wyoming State Office in Cheyenne. If you have any questions, please contact Thor Stephenson at (307) 352-0369 or Ron Hall at (307) 352-0208.

Sincerely,

Stacy McKee
Field Manager

Enclosure

III

IV

ENVIRONMENTAL ASSESSMENT
WILD HORSE GATHERING
INSIDE AND OUTSIDE WILD HORSE HERD MANAGEMENT AREAS

EA Number WY-040-EA9-041

BUREAU OF LAND MANAGEMENT
ROCK SPRINGS FIELD OFFICE, WYOMING

MAY 1999

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CHAPTER I - INTRODUCTION

PURPOSE OF AND NEED FOR THE ACTION

The Proposed Action is to remove excess wild horses from the Great Divide Basin, White Mountain, Little Colorado, and Salt Wells Creek wild horse herd management areas (HMA) and from an area outside the HMAs known as the North Baxter/Jack Morrow Hills area, located within the Rock Springs Field Office area. This action would be implemented under the authority of the Wild Free-Roaming Horse and Burro Act of 1971, as amended. The Capture Plan (Appendix A) and this Environmental Assessment (EA) cover gathering in the four HMAs and the North Baxter/Jack Morrow Hill area.

The purpose of gathering wild horses is to achieve appropriate management levels (AMLs) in accordance with existing land use plans and herd area management plans. This action complies with a 1981 District Court Order (see Chapter V of this EA) which, in part, limited wild horse numbers to a level agreed upon with private landowners, in consideration of domestic livestock, wildlife, and prevention of resource damage which could be caused by excess numbers of wild horses. The established AMLs, when achieved and maintained, will allow for the attainment or maintenance of *Wyoming Standards for Healthy Rangelands* (see Appendix B) on public lands and ensure that failure to meet standards will not be the result of the presence of excess wild horses.

The March 13, 1981 Order from the District Court of Wyoming (Mountain States Legal Foundation and Rock Springs Grazing Association vs. Cecil Andrus, C79-275K) required BLM to "remove all wild horses from the checkerboard grazing lands in the Rock Springs District except that number which the Rock Springs Grazing Association (RSGA) voluntarily agrees to leave in said area." The RSGA is a major private landowner in the area. Most of the private land within the HMAs is controlled by the RSGA and is interspersed with alternating sections of private and Federal land known as the "checkerboard." These private lands make up a significant portion of 3 of the HMAs (Great Divide Basin 25 percent, Salt Wells 36 percent, and White Mountain 38 percent). When the interspersed public lands within the "checkerboard" are added to the intermingled private lands they comprise 74 percent of the White Mountain HMA, 68 percent of the Salt Wells HMA, and almost 50 percent of the Great Divide Basin HMA. The BLM reviewed the numbers recommended by the RSGA and wild horse advocacy groups, and through the planning process, reaffirmed appropriate management levels (AMLs) in the White Mountain, Salt Wells Creek, and Great Divide Basin HMAs based on these recommendations. The AML for the Little Colorado HMA was established in August 1997, with approval of the Green River Resource Management Plan.

Wild horses will be managed to maintain populations within a range of numbers to maintain a viable herd, with a single number AML within the range. Table 1 shows the range of wild horse numbers, the AML, the existing population, the projected 1999 post-foaling population, excess wild horses, and the number of excess wild horses proposed for removal in each area.

Wild horses that exceed a properly established AML are defined as excess (as defined in the Wild and Free-Roaming Horse and Burro Act and Federal Land Management and Policy Act). Excess wild horses are subject to removal. Wild horse gathering has been on-going in the Field Office area since 1975. In addition, BLM has been conducting rangeland monitoring on portions of these HMAs and will continue monitoring efforts. Annual aerial inventories of wild horse

populations have been conducted throughout the Field Office area. Such inventories will continue but are subject to changing budget priorities. Available data have established that the historical annual rate of increase in wild horse populations in the Rock Springs Field Office area is 20 percent.

For analysis purposes in this EA, the number of excess wild horses subject to gathering in each HMA (Table 1) was calculated from the low range of AML to keep wild horse populations in or close to compliance with the District Court Order, the existing land use plan, existing herd management area management plans, and to minimize the need for more frequent gathering.

TABLE 1
WILD HORSE POPULATIONS AND APPROPRIATE MANAGEMENT LEVELS

Area	A AML (Range)	B Current Pop.	C Projected 1999 Post- Foaling Pop.	D Summer 1999 Excess Horses (C - A)	E Number of Excess Horses	F Number that can be removed- selective criteria	G Number of horses <6 yrs. old that can be released
Great Divide Basin HMA	500 (415-600)	568	681	266	306 ¹	306	100
White Mountain HMA	250 (205-300)	412	494	289	289	289	11
Little Colorado HMA	100 (69-100)	152 ²	182	113	113	113	0
Salt Wells Creek HMA	365 (251-365)	959 ³	1151	900	900	690	0
North Baxter/ Jack Morrow Hills Area	0	152 ⁴	183	183	143	143	0
Totals	1215 (940- 1365)	2243 ⁵	2691	1711	1751	1541	111

1 - Removal of 40 extra wild horses to accommodate release of wild horses gathered outside of HMAs.

2 - Population estimate from 1998 census.

3 - Partial census. 882 counted and 77 estimated.

4 - Estimate 40 release horses 10 years old and over.

5 - Does not include 235 horses in the Adobe Town HMA.

Table 1 shows that a total of approximately 1,750 wild horses need to be removed to achieve AML (Column E). Under current selective removal criteria, it is estimated that only 1,540 can actually be removed. It is estimated that approximately 60 percent of a herd is aged 5 and under, and subject to removal under existing guidelines. The Salt Wells HMA will be around 100 over AML after gathering. Outside HMAs, it is estimated that approximately 40 horses aged 10 and over will be released into the Great Divide Basin HMA. Some horses move between the Adobe Town HMA

(administered by the Rawlins Field Office) and the Salt Wells HMA. At the time of census, it was estimated that 235 wild horses were in the Adobe Town HMA. If, at the time of gathering, they are in the Salt Wells HMA, they will be gathered. The total number of excess wild horses to be removed is about 1,750.

CONFORMANCE WITH LAND USE PLANS

Gathering and removal of excess wild horses from the 4 HMAs are in conformance with the Green River Resource Management Plan approved August 8, 1997. Wild horse numbers that were agreed to with private landowners and wild horse advocacy groups were addressed in developing the land use plan. Wild horse HMAs were established or confirmed through the planning process in compliance with the 1981 District Court order. Ignoring existing policy, planning decisions, and agreements reached pursuant to the District Court Order are not considered options nor are they within the scope of this EA. This action is in conformance with management objectives found in the land use plan management and any proposed change to the AMLs is beyond the scope of this analysis.

The North Baxter/Jack Morrow Hills area is outside of existing HMAs. Therefore, all wild horses in this area are considered excess and subject to removal. Removing all wild horses from the North Baxter/Jack Morrow Hills area is in conformance with Green River Resource Management Plan.

RELATIONSHIP TO STATUTES, REGULATIONS, OR OTHER PLANS

In addition, gathering of excess wild horses is in conformance with Public Law 92-195 (Wild and Free-Roaming Horse and Burro Act of 1971) as amended by Public Law 94-579 (Federal Land Policy and Management Act), and Public Law 95-514 (Public Rangelands Improvement Act). Public law 92-195, as amended, requires the protection, management, and control of wild free-roaming horses and burros on public lands.

As provided in 43 CFR 4700.0-6(a-c), BLM policy for management of wild horses is to: a) "...manage as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat; b) ...considered comparably with other resource values; and c) ...maintaining free-roaming behavior." Priority shall be given to removing wild horses from private lands when the landowner submits a written request to BLM for their removal.

The Proposed Action is also in compliance with the following sections of the CFR:

43 CFR 4720.1 - "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately."

43 CFR 4720.2 - Removal of strayed or excess animals from private lands.

43 CFR 4710.4 - "...management of wild horses and burros shall be undertaken with the objective of limiting the animals distribution to herd areas."

43 CFR 4710.3-1 - HMAs shall be established (through the land use planning process) for maintenance of wild horse and burro herds.

No other permits or authorizing actions are required prior to implementing the Proposed Action.

PUBLIC SCOPING AND PUBLIC MEETING

A public hearing on the use of helicopters and motorized vehicles during calendar year 1999 was held at the Rock Springs Field Office on February 8, 1999. There were no public concerns expressed for use of helicopters. Most of the public comments made at the public meeting concerned the proposed 1999 spring gather. A decision was made to not gather in the spring and to address those issues in a separate environmental analysis.

One commentator questioned the reduction of the Little Colorado herd down to 77 head (Federal Register Notice of January 5, 1999) and the possibility that this number was not a viable herd size. Scientific data was not presented to validate this claim. The AML established in the Green River Resource Management Plan set the range at 69 to 100 head. The 77 head proposed to remain is within this range. Some geneticists indicate that in isolated populations, a minimum of 50 breeding individuals are required to maintain long-term viability of the population while others suggest 100 breeding animals. Berger (1990) did an analysis on a big horn sheep population that indicated: 1) 100 percent of populations with fewer than 50 individuals went extinct within 50 years, and 2) populations with greater than 100 individuals persisted up to 70 years.

Other researchers have indicated that the introduction of as few as 2 horses every few years may be enough to maintain genetic diversity. It is apparent that this population may approach marginal numbers. The Little Colorado HMA is not isolated; it shares a common, unfenced boundary with the White Mountain HMA. The presence of and potential for mixing of some wild horses from the White Mountain HMA should assure genetic viability.

In early and mid-March 1999, BLM issued scoping letters seeking comment on the proposal to gather excess wild horses in the Rock Springs Field Office area. The comment period closed April 12, 1999. Two comment letters were received that provided issues or concerns. Those issues identified by the public include:

Wyoming Game and Fish Department

Support effort to maintain wild horse numbers at population objectives.

Include a comparison of methodologies for data collection and population modeling.

Analyze implications of wild horse numbers over objective and the cost to other resources.

Fund for Animals

Analyze full range of alternatives including changing AMLs, removal of cattle, and implementing fertility control. Discuss criteria used to arrive at AMLs for HMAs.¹

Discuss reliance on a District Court Order to rule out alternatives.²

Analyze previous removals and impact on livestock AUMs.³

Predator control activities in HMAs.⁴

Discuss RMP decisions and specific impacts on wild horse management in HMAs.⁵

Analyze fertility control measures available.⁶

Discuss age/sex structure and genetic viability in wild horse herds.

Discuss selective removal policy/criteria and impacts from implementing.

Discuss potential impacts of removal/transportation/holding operations on pregnant mares and foals and how horses are treated at the holding facility.

Define "thriving ecological balance" and the role of wild horses and cattle.

Discuss the number of livestock, wildlife, and wild horses in HMAs at different times of the year and analysis of habitat use of the various animals.

Location and condition of watering areas and which species utilize them during the year.

Analyze the methodology used and information gathered from rangeland and resource inventories, and monitoring.

Discuss weather patterns, climatic conditions and the impact on wild horses, wildlife, vegetation production, water levels, and winter kill.

Discuss implementation of the *Strategic Plan for Management of Wild Horses on Public Lands*.

Identify trap locations and impacts from construction and operation activity.

Discuss the impact of helicopter use on wild horses and other wildlife in the HMAs.

Impacts from terrain and weather conditions during round-ups on wild horses.

- 1 - Analyzing alternatives identified in the comment letter is beyond the scope of this analysis. Approval of the land use plan set management levels for wild horses and domestic livestock and was done so with full public participation.
- 2 - BLM can not unilaterally set aside, modify, or ignore District Court Orders. BLM discusses the relevance of this Court Order in this document. The Court Order reflects agreement with the RSGA and wild horse advocacy groups.
- 3 - Previous removals have no bearing on the current proposal. The reason that BLM is proposing to remove wild horses is because of their reproduction success.
- 4 - Predator control activities on public lands managed by BLM are administered and analyzed by the APHIS- WS.
- 5 - See Green River Resource Management Plan Draft and Final Environmental Impact Statements for a discussion of impacts on wild horses due to planning decisions. This EA tiers off those EISs.
- 6 - Fertility control has not been considered because development of the vaccine is in progress. Broad-based application of this technique has not been approved. Use of fertility control will be considered in a separate analysis. Moreover, the present technique for administering fertility control requires that horses be gathered.

Unless otherwise noted, the issues identified above, within the mandates of the law, regulations, land use plan decisions, have been considered in this EA.

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CHAPTER II - PROPOSED ACTION AND ALTERNATIVES

PROPOSED ACTION

To achieve appropriate management level (AML) throughout the Rock Springs Field Office area, with the exception of Salt Wells Creek HMA, will require removal of approximately 1,750 excess wild horses from the four HMAs and from the North Baxter/Jack Morrow Hills area (see Map 1). The areas and numbers of excess wild horses scheduled to be removed are identified in Table 2.

**TABLE 2
EXCESS WILD HORSES**

HMA	Number of Excess Horses to be Removed
Salt Wells Creek	900
Great Divide Basin	306 ¹
White Mountain	289
Little Colorado	113
Total horses to be removed within HMAs	1,608
Outside HMAs	
North Baxter/Jack Morrow Hills	143
Total horses to be removed	1,750

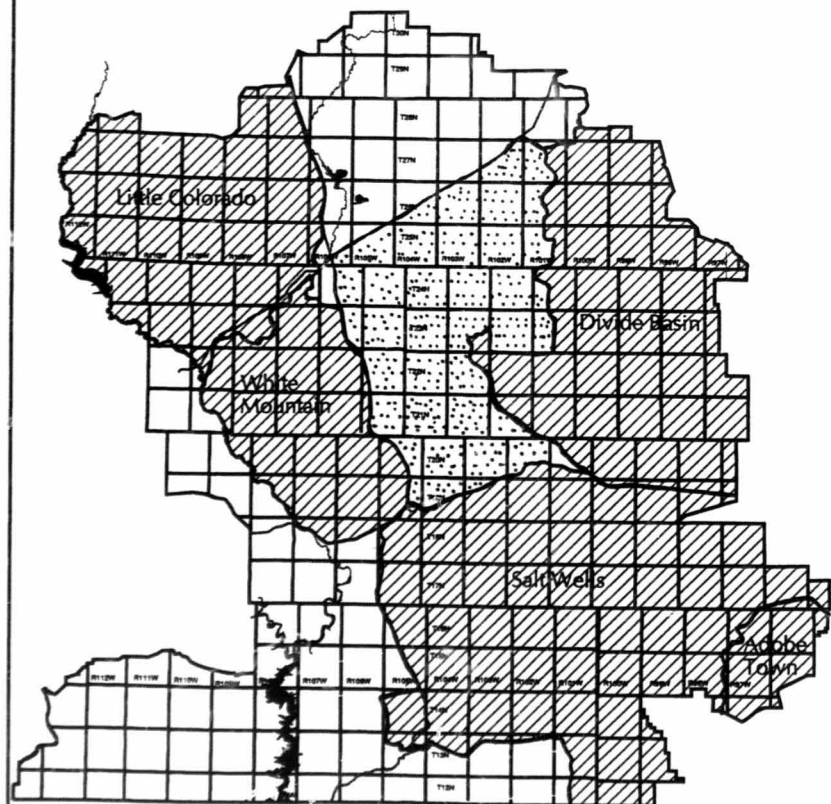
¹ An estimated 40 wild horses selected for release would be from the North Baxter/Jack Morrow Hills area. These horses would be released into the Great Divide Basin HMA. Therefore, gathering in the Great Divide Basin HMA would require removal of an additional 40 head below AML (to 375 wild horses) to accommodate the release of horses removed from the North Baxter/Jack Morrow Hills area. An estimated 306 wild horses would be removed from a population of 681 in the Great Divide Basin HMA.

Approximately 2,550 wild horses must be gathered to remove approximately 1,750 excess wild horses under current selective removal guidelines. Animals that do meet selective removal criteria are turned back onto the range. Gathering operations would be conducted as described in the Wild Horse Capture Plan (Appendix A), would start no earlier than July 15, 1999, and continue until AML is achieved, except in the Salt Wells Creek HMA.

The Proposed Action would be in conformance with the current selective removal policy as established in Instruction Memorandum 99-053 (Appendix C). The current selective removal policy is a feature of the *Strategic Plan for Management of Wild Horses on Public Lands*. This plan was developed in June of 1992 to implement a long range strategy for the management of wild horses and burros. The goal was to develop a plan that recognized wild horses and burros as important and perpetual components of the rangeland ecosystem. Selective removal based upon sex and/or age was recommended for population control. Current policy also reflects the desire of BLM to remove only the most adoptable animals. Gathering and handling methods would be conducted as described Appendix A and is made part of the Proposed Action.

Wild Horse Management Areas

Rock Springs Field Office



NORTH BAXTER/
JACK MORROW

MAP 1

Monitoring

All monitoring is coordinated with the range management program and will attempt to identify areas of conflict among wild horses, wildlife, and domestic livestock. It will also provide for identifying areas where there is or may be resource damage due to excess wild horses, including use around riparian areas. This information will help to set priorities for determining where removal is most needed to achieve or maintain a thriving ecological balance. Monitoring the impacts of grazing animals on range and soil resources is coordinated between the wild horse and range management programs including assessment of grazing allotments for compliance with *Wyoming Standards for Healthy Rangelands*.

NO ACTION (No Gathering or Postponement of Gathering)

Under the No Action alternative, BLM would not gather wild horses from inside/outside HMAs or would postpone gathering of excess wild horses.

ALTERNATIVES CONSIDERED BUT DROPPED FROM FURTHER ANALYSIS

Closure of Wild Horse Herd Management Areas to Livestock

The HMAs areas in the Rock Springs Field Office area were established in accordance with 43 CFR 4710.1, 4710.3, and 4710.4. In addition, the Wild and Free-Roaming Horse and Burro Act does not require that these areas of public land be managed exclusively for wild horses but states under Section 2a (Act) that even in case of ranges that are devoted principally for wild horse management, it is not necessary to devote these lands exclusively to their welfare in keeping with multiple-use management concept for public lands, but rather that these determinations be made through the land use plan. Existing planning decisions provide for maintaining populations of wild horses in these areas and for providing the opportunity for livestock grazing. Closure of HMAs, or a part of them, to livestock grazing other than by domestic horses would not be in conformance with the Green River Resource Management Plan. Impacts of livestock grazing have been analyzed in the land use plan.

The 1981 District Court decision on wild horse management in the Rock Springs Field Office area was based in part, on the rights of private landowners in the checkerboard lands. These lands are unfenced, allowing wild horses to move freely between private and public lands within the "checkerboard lands." If all or parts of the herd management areas were closed to livestock grazing, a substantial amount of fencing would have to be constructed. The substantial cost of such fencing, the potential adverse impacts on wildlife, and that it would not preclude the need for gathering or could require that more wild horses be gathered, make this alternative unreasonable.

Alternative Gathering Methods

Hay and water trapping methods require that these resources be scarce. In Wyoming, abundant forage, except during severe winters with substantial snow cover, makes hay trapping impractical. When conditions might allow some limited success, drifting snow and road conditions limit access. Abundant water supplies and occasional rain showers make water trapping impractical. Also, rounding up wild horses with saddle horses alone has proven to be inefficient and impractical.

The helicopter/roping method of gathering entails moving wild horses to a roping site by helicopter and then capturing the horses by roping. This is feasible, but this technique has only been used in limited circumstances where a small number of wild horses were difficult to trap. It poses safety hazards to wild horses, personnel, and their saddle horses. Due to these reasons, this alternative as a primary method of gathering is dropped from further consideration.

CHAPTER III - AFFECTED ENVIRONMENT

INTRODUCTION

The resources affected by the Proposed Action and No Action Alternative include wild horses, vegetation and soils, domestic livestock and wildlife, lands, and recreation users. Wildlife, livestock, and wild horses utilize vegetation and can affect vegetative cover and diversity, soil stability, erosion, and sedimentation.

The following critical elements of the human environment and other potential concerns were considered but were determined not to be affected nor impacted by the Proposed Action and will not be discussed further in this EA:

- Air Quality
- Areas of Critical Environmental Concern (ACEC)
- Cultural, Historic, and Paleontologic Resources
- Threatened and Endangered, Candidate, or Sensitive Plant or Animal Species
- Water Quality or Sole Source Aquifers
- Environmental Justice
- Wilderness Areas and Wilderness Study Areas
- Prime and Unique Farmlands
- Native American Concerns
- Wild and Scenic Rivers
- Hazardous Wastes
- Social and Economic Resources

GENERAL ENVIRONMENT

The Rock Springs Field Office area is located in southwest Wyoming and contains the four HMAs and a portion of the Adobe Town HMA (administered by the Rawlins Field Office and is not addressed in this document). Map 1 provides a graphic reference to the location of the HMAs. Acreage with in each HMA is as follows:

HMA	Federal Acres	Total Acres
Great Divide Basin	562,702	778,915
White Mountain	240,416	392,649
Salt Wells	725,704	1,193,283
Little Colorado	519,541	519,541

The established AML for the Rock Springs Field Office area is between 1,105 and 1,600 head (includes wild horses from that portion of the Adobe Town HMA). Table 1 provides the breakdown for each HMA except Adobe Town. Currently there are an estimated 2,243 wild horses and with the 1999 post-foaling population, the number is predicted to be approximately 2,692 wild horses. Historically, BLM has been able to maintain the numbers at or close to AML except for the Salt Wells Creek HMA.

In the Salt Wells Creek HMA, the AML has never been achieved due to several factors, the most significant of which is the migration of horses to the Salt Wells Creek HMA from the Adobe Town HMA. Both HMAs share a common, unfenced boundary. Approximately 55 percent of the post-foaling population in the Salt Wells Creek HMA is located within the eastern third of the HMA adjacent to the Adobe Town HMA (managed by the Rawlins Field Office). BLM has not been able to consistently gather both HMAs due to the large number of horses in the area and the selective removal criteria; thus, AML has not been reached. Other factors include low wild horse density (1 wild horse per 3,268 acres), large size of the HMA, and more occurrence of and use by wild horses of the juniper habitat type.

Climate

The climate within the areas proposed for gathering is typical of a cold desert. Summers are generally hot and dry with long, cold winters. Temperatures can range from well below zero to the upper 90s. Annual precipitation ranges from a low of 7 inches up to 15 inches at higher elevations. Some wind is seemingly inevitable. Direction of prevailing winds is variable but is generally westerly.

Topography

Topography within the areas proposed for gathering is highly variable, ranging from mostly flat to slightly rolling foothills carved by drainages, and desert mountains featuring steep slopes, cliffs, and canyons. Preferred habitat for wild horses in the Rock Springs Field Office area is the rolling hills and flats found at lower elevations.

Human-made Hazards

The only human-made hazards to wild horses of importance would be fences. Portions of all 4 HMAs are fenced on their boundaries. This fencing is associated with major highways (i.e., Interstate 80, Highways 191 and 430), Rock Springs, Rawlins, and Pinedale Field Office area boundaries, and the Colorado-Wyoming state line. Minimal fencing exists within the HMAs, mostly associated with deeded property. Most grazing allotments within the HMAs are unfenced. However, wild horses may occasionally be moved through fences; when this is necessary, actions are taken to minimize risks.

WILD HORSES

The wild horses that would be affected by the Proposed Action are the estimated 2550 wild horses that must be gathered to accomplish the removal of approximately 1750 excess wild horses from inside the four HMAs and the North Baxter/Jack Morrow Hills area outside the HMAs. The existing wild horse populations and the AMLs for each HMA are presented in Table 1.

Wild horses in the Rock Springs Field Office area have many domestic bloodlines in their background including American Quarter Horse, Thoroughbred, Standardbred, Arabian, and smaller draft breeds such as Percheron. Nearly every coat color, pattern, and combination thereof, can be found within the herds. The animals tend to be of moderate to large sized for light horses. Habitat conditions are such that the horses are in very good condition. The combinations of size, conformation, coat colors and patterns, and excellent physical condition have become a draw for potential adopters and a matter of reputation for "Rock Springs" horses.

The normal breeding period runs from March through September each year but peaks around mid-to late-June. The peak of foaling for wild horses in the Rock Springs Field Office area has been documented to be on or around June 1. For planning purposes, it is considered to be June 1.

The horses' social structure, combined with their size, strength, and adaptability allows them to compete favorably with wildlife and domestic livestock. Horses traveling up to 10 miles to water have been noted, although 2- to 5-mile distances are more common. An adult horse normally consumes 10 to 12 gallons of water per day. Horses usually have adequate water from winter snows and spring runoff which fill reservoirs and intermittent streams. During late summer and early fall, horses depend on the fewer perennial sources of water (i.e., reservoirs, streams, springs, and flowing wells), and on water wells pumped for domestic livestock and wildlife. No predation of wild horses has been documented in the Rock Springs Field Office area and is considered to have little or no effect on wild horse populations.

DOMESTIC LIVESTOCK AND WILDLIFE

Most rangelands in the Rock Springs Field Office area provide seasonal and yearlong grazing for livestock (cattle, sheep, horses). Approximately 45 percent of the rangelands in the field office area are public lands which are used in conjunction with State and private lands for the grazing of domestic livestock.

Livestock water is provided by springs, wells, intermittent and ephemeral streams, pipelines, and reservoirs. Sheep use snow in the winter as a water source, as do the wild horses and native wildlife. There has been a substantial amount of non-use of permitted livestock AUMs (animal unit month) in recent years.

Wildlife are an integral part of the environment. The Rock Springs Field Office area provides habitat for a variety of wildlife species, including big game species (elk, mule deer, pronghorn antelope, and moose).

There is potential for competition between wild horses and antelope, deer, and elk; however, this potential is generally minimal during all four seasons. This potential is minimized by maintaining wild horse populations at AML, and evidence suggests the relationship might be symbiotic. While there is no research, there are a number of documented cases where antelope and elk follow wild horse herds during bad winters because the horses are able to break through deep and crusted snow, allowing the antelope and elk to feed behind. This, however, would turn to competition if horse numbers are over AML. The seasons of greatest potential competition between wild horses and elk are fall and winter, and with antelope are winter/early spring.

There are some important fisheries in the Field Office area. Most of the area included in HMAs is desertic in nature and few perennial streams exist in the HMAs. The Salt Wells HMA does include several major perennial drainages including Bitter Creek, Salt Wells Creek, Vermillion Creek, Sage Creek, and Trout Creek. The Little Colorado and the White Mountain HMAs share a common boundary on the Big Sandy River and the Green River. The number and size of perennial drainages limits the number of potentially important fisheries. There is opportunity to enhance some fishery habitat with improved management directed at enhancing riparian ecosystems throughout the Field Office area. Achieving and maintaining wild horse numbers at AML is an important part of achieving such objectives.

VEGETATION AND SOILS

Wild horses generally prefer perennial grass species as forage. Shrubs are more important during the fall and winter. The species of grasses preferred depends on the season of the year. Needle and thread, and Indian ricegrass are most important during the winter and spring and wheatgrasses during the summer and fall.

There are a variety of vegetation types in the Rock Springs Field Office area including sagebrush, sagebrush/grass, saltbush, greasewood, desert shrub, juniper, grass, meadow, broadleaf trees, conifer, mountain shrub, half shrub and perennial forb, and badlands. The predominant vegetation type is sagebrush/grass.

Riparian areas are very important for wild horses, wildlife, and domestic livestock. They generally have deeper, richer, loamy soils, higher in organic matter. Natural meadows and cottonwood bottoms are valuable components for all foraging animals (domestic or wild). The communities along stream courses provide food, cover, and water for many species of wildlife.

Because of the use demands on riparian areas, management considerations have focused on protecting these areas from depletion. Fencing and utilization limits with herding of domestic livestock have been effective tools in maintaining and improving the qualities of riparian ecosystems. Achieving and maintaining AML of wild horse herds is important to keeping utilization at acceptable levels and preserving riparian habitat.

Since southwest Wyoming is arid, its soils generally lack profile development. As a result, the soils lack structure and are highly susceptible to erosion. In the Rock Springs Field Office area, the soils are predominantly in the order of Entisols and Aridisols.

Soils are dependent on vegetation cover to remain in place and to continue the geologic process of soil development. Vegetation cover prevents raindrops from directly impacting the soil surface and slows runoff and erosion. Major climatic factors affecting soil development include elevation, aspect, precipitation, and the pattern of snowdrifts.

Drainages and stream bottoms have accumulated silts and clays in alternate layers of varying texture. These soils are more resistant to wind erosion but are very susceptible to headcutting by water movement.

Varying amounts of soluble salts occur in all the soils. In some soils, the level of soluble salts affects their management (reduced infiltration of water, limitation of nutrient availability, and reduction of water available to plants).

Soil compaction occurs from livestock use and concentrations of other large animals, including wild horses, around water sources. The effects of winter grazing does not impact soils as severely because the soils are frozen. Overland runoff is greater from compacted than from uncompacted soils. The trampling and cutting effects of hooves of grazing animals, including livestock, big game, and wild horses, are most harmful to soils during wet periods.

LANDS

Lands in the Rock Springs Field Office area include BLM-administered public land, lands managed by other Federal agencies, State land, and private land. The Rock Springs Field Office area contains a substantial acreage of checkerboard lands (railroad grant lands where private and public land occur in alternating sections for 20 miles on either side of the railroad which crosses Wyoming from east to west). Lands north and south of the checkerboard are predominantly solid block, BLM-administered public land. There is no fencing between the checkerboard and solid block public lands.

Checkerboard lands create special problems for managing wild horses. The location of private lands throughout the Rock Springs Field Office area affects wild horse management on public lands, in part, because private lands are not fenced from public lands.

RECREATION

The public enjoys seeing wild horses roaming free in the Rock Springs Field Office area. Visitor use has not been documented due to its random nature and the fact that anyone is free to drive out and see wild horses.

Adoption of a wild horse or horses provides the opportunity for a more in-depth, up-close, and long-term recreational experience for interested and qualified members of the public. In some instances, wild horse adoptions have become locally important social events.

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CHAPTER IV - ENVIRONMENTAL CONSEQUENCES

INTRODUCTION

Resources impacted by the Proposed Action and No Action Alternative include wild horses, domestic livestock and wildlife, vegetation and soils, lands, and recreation. The direct, indirect, and cumulative impacts are addressed for each resource.

PROPOSED ACTION

Wild Horses

The gathering of an estimated 2,550 wild horses will be required so that approximately 1,750 excess wild horses can be removed from within four HMAs and the North Baxter/Jack Morrow Hills area. Gathering will comply with selective removal criteria. The number of excess wild horses to be removed is based on the projected 1999 post-foaling population in relation to the AML range (Table 1). Maintaining the populations at AML would benefit the remaining horses by improving the quality and quantity of forage. Gathering would not begin before July 15, 1999, 45 days after the peak of foaling.

The 183 post-foaling wild horses projected in the North Baxter/Jack Morrow Hills area are excess by definition because the area is not managed for wild horses under the land use plan. Additional horses would be removed from the Great Divide Basin HMA to accommodate horses that were gathered from the North Baxter/Jack Morrow Hills area that must be returned to the range due to selective removal criteria. The release of wild horses gathered in the North Baxter/Jack Morrow Hills area and released into the Great Divide Basin HMA would not have an impact on the genetics of the Great Divide Basin herd. These horses originally came from this area so the genetics would be similar. The reduction of the Great Divide Basin herd down to 375 head to accommodate this action would mitigate the impact. Removal of 45 percent of this herd should leave at least 100 horses aged 5 and under.

Wild horses would be placed under stress as a result of being captured, transported, prepared, and adopted. Some horses may be injured or killed; however, in 25 years of experience and documentation, this number has been less than 1 percent of horses gathered.

There is potential for foals to become separated from their mothers. Every effort would be made to reunite the foal with its mother.

Minor injuries such as scrapes, bites, and bruising are likely to occur. Some sorting of animals may occur at the trap to sort off small foals or other horses with special handling requirements. Extensive handling of horses in the trap can result in a slight increase in potential for injury.

Transporting horses from the trap to a field holding/sorting facility, Rock Springs, or other cooperating facility has the potential for causing some injury to the transported animals. Transporting horses would be done in a manner that would allow the horses to keep their footing during the trip, minimizing injury. Wood shavings would be used on the flooring to help provide secure footing. Horses would be loaded loosely enough to ensure that if one did get down, it would have enough room to regain its footing. If horses are transported to cooperating facilities, additional stress would occur.

Sex Ratio

Selective removal of all or most wild horses gathered that are aged 5 and under has some impact on the sex ratios within a wild horse herd. In most herds that have not been selectively gathered for some time, the sex ratio is approximately 53 percent female and 47 percent male. Where all horses 5 years and younger are removed, the sex ratio may be adjusted to around 50/50. Previous selective removal criteria used in earlier gathering efforts called for the release of all horses over the age of nine. Under this criteria, the sex ratio was skewed more toward males than it is under current policy. This effect is somewhat mitigated by several factors:

- Not all wild horses in an HMA are gathered in any one or several years. In some instances, some horses live out their lives having never been captured.
- Excess males in the population increases the likelihood that fertile mares will be bred and can result in smaller average band size. This results in increased reproduction rates and decreases the potential for in-breeding due to competition for available mares;
- Research has shown that older mares are more fecund and successful at raising their foals than are younger mares; and
- Larger herd size (maintaining AML dilutes this effect somewhat).

Population Modeling

A wild horse population model, developed by Dr. Steve Jenkins at the University of Nevada at Reno, has been used to predict the outcome of removal activities on the wild horse populations in the 4 HMAs analyzed in this EA. The results of this modeling are presented in Appendix D. Additional narrative regarding population modeling is presented under the No Action Alternative.

Salt Wells HMA

According to the population model (see Salt Wells 2, Appendix D), with annual gathering beginning in 1999 and under current selective removal criteria, AML would be achieved by the year 2003. The population would then be maintained within the AML range of 251-365, through the year 2009 with continued annual removals. Once AML has been achieved, the model indicates the wild horse population could be maintained at AML for a period of 10 years with annual removals (Salt Wells 3) If removal of wild horses is done on a 2-year cycle (Salt Wells 4), AML would be exceeded in 3 out of 10 years and if wild horses are removed only every third year (Salt Wells 5), AML would be exceeded in 6 out of 10 years. The model also points out that the larger the number of excess wild horses (number above AML), the larger the number of wild horses that must be captured for removal.

Little Colorado HMA

With removal of excess wild horses this year and annual removals thereafter, AML would be achieved in the year 2000 and would be maintained through the year 2009 (Little Colorado 1). At no time would the population average (30 trials) fall below AML. In fact, only 3 trials out of 300 (30 trials per year/10 years) did the population fall below the low range of the AML. This demonstrates a high probability of maintaining populations within AML range.

Once AML is achieved, modeling shows gathering every year (Little Colorado 3), gather every 2 years (Little Colorado 4), and gathering every third year (Little Colorado 5) demonstrate that the

AML could be maintained and that with increasing periods between gathering, the more often AML is exceeded. Thus, the total number of wild horses that must be gathered and removed increases.

The model run (see Little Colorado 6, Appendix D), shows that if the population starts at AML and removal is on a 3-year cycle over a 20-year period, AML can be maintained and the long-term viability of the wild horse herd would be assured.

Great Divide Basin

This model was run with Great Divide Basin HMA specific parameters, assuming the beginning population is at the mid-range of 500 wild horses, horses are removed every other year, and the current selective removal criteria apply. The model (see Great Divide Basin 1, Appendix D) indicates that with this management strategy, the population can be maintained at or slightly above the high range AML of 600 head over a 10-year period. At no time would the population fall below 576 horses.

White Mountain HMA

Population modeling in the White Mountain HMA (see White Mountain 1, Appendix D), assuming the initial population is at AML of 250, and excess wild horses are removed every other year under current selective removal criteria, indicates that the population could be maintained at or near the upper range of AML of 300 horses. At no time did the model predict that the population would fall below 283 wild horses.

Age Structure

In most herds that have not been selectively gathered for some time, the approximate age structure may be broken down as follows:

Age Class 0-5:	60-70 percent of herd
Age Class 6-20+:	30-40 percent of herd

In all the HMAs except Salt Wells, it will be possible to return some younger horses and still achieve AML. In the Salt Wells HMA, all younger horses would have to be removed. This increases the average age of the herd. The stronger, more mature animals in age classes 6 to 9 are the most likely to survive difficult conditions. However, the past 3 winters have been unusually mild. Some older horses that may have died during normal winters may have been able to survive. An increase in mortality in the oldest horses may occur during the next normal or severe winter. The loss of these individuals to the population will be short term in that it is unlikely these animals were still reproductively active, and a new crop of foals will more than make-up this loss of older aged animals. An increase in natural mortality of these older animals would reduce the need to gather to maintain AML while not impacting herd viability. Selective gathering of herds has demonstrated an increase in reproduction in most areas.

This impact will be somewhat less in Great Divide Basin and White Mountain HMAs where some younger age class horses can be released. In these HMAs, the AML can be achieved while turning back some younger age class horses (5 and younger). In the Salt Wells HMA, where the 1999 post-foaling population is estimated to be over 4.5 times the low point of AML, it will not be possible

to attain AML this year using selective removal policy. It is estimated that after the removal of all horses aged 5 and under, a population of 460 horses, 135 horses over AML will remain.

Maintaining wild horse populations at AML will result in no cumulative impacts to the long-term viability of the managed wild horse herd and will aid in to the attainment of a thriving ecological balance in their habitat.

Domestic Livestock And Wildlife

Reaching and maintaining the populations at AML would assure that the quality and quantity of forage for domestic livestock, wildlife, and wild horses would be available. Improved quality and increased quantity of forage allows the continuation of authorized livestock use and helps to obtain or maintain objective wildlife populations as defined by the Wyoming Game and Fish Department.

Wildlife populations in areas where excess wild horses are gathered could be disrupted for a short time during the gathering operations. Once gathering operations cease, these effects would stop. There is no long-term adverse effect on wildlife. The short-term effects are a result of human presence and the noise of the helicopter which may cause wildlife to seek cover in areas away from gathering routes. Capture activities will not cause abandonment of normal habitat areas.

BLM data and past experience show that removal of excess horses from areas of wild horse concentration will improve habitat conditions for wildlife. This effect is most pronounced around water sources and would benefit both game and non-game wildlife. Maintaining wild horse populations at AML through the removal of excess wild horses enables wildlife populations to utilize the forage that would otherwise be used by the excess wild horses. No adverse cumulative impacts to domestic livestock and wildlife are anticipated.

Vegetation and Soils

The removal of excess wild horses from inside the four wild horse HMAs and from the North Baxter/Jack Morrow Hills area would avoid potential over-utilization of forage and reduction in vegetative ground cover. Vegetation composition, cover, and vigor could improve or be maintained near water sources where wild horses tend to congregate. An improvement in forage condition could lead to improved livestock distribution, which would prevent over-utilization and reduction in vegetation cover.

Removal of excess wild horses would maintain vegetation cover. Potential for competition for forage and water between wild horses, wildlife and livestock, and surface disturbing activity in general around water sources would be reduced. Quantity of forage would be increased. The increased vegetation cover would protect soils and reduce erosion of the surface soil layer, and would not impede the attainment of *Wyoming Standards for Rangeland Health*.

The only disturbance would be from the erection of the posts, trampling, and vehicle traffic. However, when the horses are herded some vegetation is disturbed. Extreme surface disturbance occurs within the paddocks of the trap due to the milling about by the horses; however, the total impacted area is less than one-quarter acre per trap site.

When the wranglers on horseback begin to herd the horses (approximately the last 1/4 mile) and the horses' pace is increased, disturbance to vegetation would increase. This disturbance would be

greatest between the wings of the trap. Vehicles can damage vegetation but the impact is minimized by staying on existing roads and trails to the extent possible.

Maintaining wild horse populations at AML will produce no adverse cumulative impacts to vegetation and soils.

Lands

Removal of excess wild horses to AML would reduce or prevent damage (in the form of trampling, compaction, and overgrazing) from occurring on private, state, and Federal lands. There are no adverse cumulative impacts to lands as a result of implementing the Proposed Action.

Recreation

Maintaining wild horse populations at established AMLs guarantees opportunity for the public to view wild horses in a wild and free-roaming state. Additional recreation opportunities would be provided by wild horse adoption and adoption events. There are no adverse cumulative impacts to recreation as a result of implementing the Proposed Action.

Mitigation Measures

Compliance with the planned actions in the attached capture plan precludes the necessity for additional mitigation measures.

Residual Impacts

Except for a temporary visual impact to the trap and wing area until vegetation is reestablished (most likely the next growing season), there are no other residual impacts from implementing the Proposed Action.

NO ACTION ALTERNATIVE (No Gathering or Postponement of Gathering)

Under the No Action Alternative, BLM would not gather or remove excess wild horses in the Rock Springs Field Office area. As a long-term approach to wild horse management, the No Action Alternative would be contrary to Federal regulations at 43 CFR 4710-3-1 which call for the establishment of AMLs in HMAs. It would also be contrary to the 1981 District Court decision which requires that all wild horses be removed from checkerboard lands except the number of horses which private landowners agree to allow. Any alternative that would allow excess wild horses to remain on the range would violate Federal regulations, the land use plan, and the District Court decision.

Wild Horses

The impacts described below would be cumulative over time.

No wild horses would be gathered or removed from public or private lands. Previously identified impacts to wild horses resulting from gathering, transporting, handling, and entry to private care would not occur.

There would be some moderation of previous impacts to sex and age structure of the herds due to earlier selective removals. These impacts would be subtle and would only be expressed over time as a normal distribution of age structure and sex ratios are reestablished.

In the Rock Springs Field Office area, wild horse populations have demonstrated an annual rate of increase of approximately 20 percent. Current wild horse population in the Field Office area is estimated to be 2,243 animals. The low-range AML is 950, mid-range is 1,215, and high-range is 1,365. At the present time, wild horse populations exceed the established AML by as many as 1,293 animals or 48 percent. The post-foaling population is estimated to be 2,691 horses, 65 percent above AML. By the end of the year 2000, the wild horse population could exceed 3,200 horses if no animals are removed. Wyoming state-wide AML is 3,163.

As wild horse numbers increase, competition for available forage and water would increase. Overpopulation would result in lower reproductive rates, poor body condition, and the potential for substantial overwinter mortality. Adverse impacts to the vegetative and soil resources could be expected.

Density dependent factors such as the requirement for the habitat component of space would become more important as the population increases. Wild horses are highly social herd animals, practice a polygamy form of reproductive strategy where males are highly competitive for mates and space; therefore, adequate space may not be available for increased numbers of wild horses within HMAs even though there may be adequate forage, cover, and water. This is the primary reason why wild horses persist in the North Baxter/Jack Morrow Hills area. As stallions and stallions with a harem are forced by social interaction to migrate out of the Great Divide Basin HMA, they take up residence in other areas where competition for space is reduced.

As populations continue to increase so does the potential for horse-induced damage to their habitat. Reduced habitat quality as a function of over-use results in reduced carrying capacity. Established AMLs reflect this fact and were set at a conservative level to ensure that wild horses would not have a negative impact on their habitat or the habitat of other species (a thriving ecological balance).

If removal is only delayed a year and then is resumed and continued annually, the population modeling indicates that in the case of Salt Wells Creek HMA, it would take until the year 2009 to achieve AML (see Salt Wells 1, Appendix D). Under the Proposed Action, AML would be achieved in the year 2003. Modeling for the Little Colorado (Little Colorado 2) predicts that postponement of removal until next year would cause no additional delay in achieving AML once gathering recommences. However, AML would be exceeded in 4 out of 10 years. This modeling not only demonstrates the impact of postponement of removals on the length of time required to achieve AML, which can impact budget, policy, and operational capability, but also shows that as the number of wild horses increases so does the number of horses exposed to gathering and removal-related impacts.

Domestic Livestock and Wildlife

Allowing the wild horse population to exceed AML will upset the balance of resource uses evaluated in the Green River Resource Management Plan. Increased use of vegetation and surface water by larger numbers of wild horses increases the potential for competition for these limited habitat components. These impacts would accrue at the expense of domestic livestock use, wildlife habitat, and watershed function. Larger numbers of wild horses could (short term) or would (long term)

cause reductions in the allowable livestock grazing use and number and diversity of wildlife and wildlife habitat. Reduction in the number of permitted domestic livestock would have negative economic impacts to existing livestock producers.

Large portions of 3 HMAs (Great Divide Basin, Salt Wells Creek, and White Mountain) are made up of checkerboard lands where every other section is privately owned or controlled by the Rock Springs Grazing Association. Should an increase in the number of wild horses on public and private land within checkerboard lands result in an end to the relationship with the association, total removal of all wild horses within the checkerboard lands presently located within established HMAs could happen and would be considered significant. Larger numbers of wild horses would have to be removed from the range, exposing even greater numbers of animals to gathering, sorting, transporting, and entry into private care and maintenance. Other adverse impacts could be forced redrawing of HMA boundaries, potential for significant fencing to contain the horses to public lands, decreased cooperation with private landowners in the immediate area, and possibly reanalysis of AMLs for smaller HMAs which would likely result in a net reduction in the number of wild horses managed for in the Rock Springs Field Office area.

Increased competition for adequate forage and water would be the major impact on domestic livestock grazing. Wildlife habitat components impacted by the No Action Alternative include forage, water, cover, and space. Wild horses are large, aggressive, and can easily dominate preferred habitats when they are limited by scarcity or competition. In a head-to-head competition for habitat components in short supply, the wild horse would succeed against any other large ungulate including cattle and elk with whom they share large areas of overlapping habitat. Wild horses are more likely to directly impact cattle and elk. However, direct and indirect impacts due to increased numbers of wild horses could occur to habitat for pronghorn antelope, mule deer, moose, sage grouse, Colorado River cutthroat trout, and may other avian, reptilian, amphibian, and fish species.

Even in the absence of competition for habitat, as with any large ungulate, wild horses can, through their selective forage use, cause changes in the plant community that are deleterious to some plant and animal species and possibly enhance the habitat for others. As wild horse numbers increase, so does the likelihood that adverse cumulative impacts to plants and other animals would occur over time.

Vegetation and Soils

Impacts described below would be cumulative over time.

Many of the impacts to vegetation and soils also affect wildlife habitat and have already been addressed above. The impact from wild horses on vegetation and soils is essentially the same as the Proposed Action but more numerous and larger in scope. This is primarily due to increased forage use either by grazing or trampling, increased use of water, and soil compaction. Increased numbers of wild horses will inhibit the ability of BLM to obtain and maintain compliance with *Wyoming Standards for Healthy Rangelands*.

Lands

Significant adverse cumulative impacts to the management of intermingled land in the checkerboard could be the end result of selection of this alternative. These impacts have been addressed above under Domestic Livestock and Wildlife section.

Recreation

Short-term impacts to recreationist observing wild horses on the range would be positive as there would be more horses in more places. Over time, however, the condition of wild horses would decline as would the habitat (an adverse cumulative impact). Increases in wild horse numbers would likely mean a decline in the opportunity to enjoy wildlife related consumptive and non-consumptive recreation. The opportunity to adopt a wild horse from this area would not exist.

Possible Mitigation Measures

Possible mitigation measures include:

- Reduce or eliminate active livestock grazing on public lands within HMAs;
- Reduce Wyoming Game and Fish Department's big game population objectives and reduce big game numbers accordingly.
- Install additional fencing to protect sensitive areas and to control wild horse distribution.
- Review and modify HMA boundaries to remove checkerboard lands.

Residual Impacts

Many of the impacts to livestock grazing, wildlife habitat, and other ecosystem functions (i.e., watershed) would be so long term as to be considered permanent. Postponement in removing excess wild horses also has negative impacts. For example, delaying just 1 year in removing excess wild horses in the Salt Wells Creek HMA, will require an additional 6 years to the time required to reach and maintain AML (see Salt Wells 1, Appendix D).

CHAPTER V - CONSULTATION AND COORDINATION

INTRODUCTION

General

The BLM is responsible for the welfare of wild horses and is under constant scrutiny by many members of the public for actions concerning wild horse management, including gathering.

Wild horse gathering in the Rock Springs Field Office area began in earnest in 1982 and was suspended in the late Summer and Fall of 1989. Gathering of wild horses outside wild horse herd management areas resumed in March of 1990, following preparation of an environmental assessment (EA) covering the gathering of wild horses outside wild horse herd management areas (HMA). Gathering of excess wild horses from inside HMAs began in the Summer 1990, following preparation of a second EA. The Decision on the second EA was appealed to IBLA and gathering was stopped. IBLA issued an order affirming the BLM decision, in part, and placed it into full force and effect. Gathering resumed on February 26, 1991 under the same procedures and gathering plan, based on the same numbers of excess wild horses.

The IBLA, on February 22, 1991, affirmed the BLM decisions to gather wild horses according to the 1990 EA. They stated that the EA "sets out the agreed upon management "levels" and, consistent with the agreement, the EA and plans covering the Green River Resource Area seeks to maintain those levels." The issue of "AML's of wild horses and what constitutes "excess," has been determined with finality by the District Court Orders." Horses were gathered in 1992/93 under the Decision Record of EA number WY-040-EA2-03.

The IBLA decision recognized the BLM's approach to using AMLs from the Court Order to establish AMLs for herd management areas that include checkerboard lands. The IBLA Order states, "BLM charges that API (Animal Protection Institute) and WHOA (Wild Horse Organized Assistance) fail to recognize that, because of the migratory nature of the herds, the checkerboard ruling affects both solid block lands and checkerboard lands.... BLM notes that the boundaries of the White Mountain, Great Divide Basin, and Salt Wells Creek WHHMA's, circumscribing the territorial limits of the affected herds, had not been determined at the time of the 1979 litigation. Noting that the boundary between the solid block lands and the checkerboard lands within the WHHMA's is unfenced, BLM contends that establishing the AML's within the checkerboard also establishes the AMLs for all lands within the HMAs incorporating the checkerboard lands. BLM insists that appellants (ignore) * * * the complex land ownership pattern in the area occupied by these herds. Neither the public lands nor the private lands can be managed independently of the other in the unfenced range of the Rock Springs District."

This EA covers the period beginning July 15, 1999 (45 days after the peak of foaling) until the project is completed (approximately 1,750 wild horses are removed). It takes into account the March 1999 inventory and bases the estimate of the number of excess wild horses on current population figures, with the exception of the Little Colorado HMA, which is estimated from the 1998 inventory.

Checkerboard Lands (Rock Springs Grazing Association)

The Rock Springs Field Office area contains approximately 2,000,000 acres of "checkerboard" lands. Slightly less than 50 percent of these checkerboard lands are BLM-administered public lands, 50 percent are private lands controlled by the Rock Springs Grazing Association (RSGA), and the remaining lands are owned by the State of Wyoming. These lands collectively make up the Rock Springs Grazing Allotment. Horses may move seasonally from solid block public land to checkerboard land.

In September 1979, the RSGA and the Mountain States Legal Foundation brought suit against the Department of the Interior, charging improper management of wild horses contrary to the provisions of the Wild Free-Roaming Horses and Burros Act. They charged that improper management "led to an excessive number of horses, which is causing severe damage to the private property of plaintiff Rock Springs Grazing Association, as well as to the public lands in the Rock Springs District."

In January 1979, the RSGA met with representatives of Wild Horses Yes and the International Society for the Protection of Mustangs and Burros. The purpose of the meeting was to try to establish mutually agreeable numbers for the wild horse population (Appropriate Management Levels) in the area of concern.

The RSGA and the International Society for the Protection of Mustangs and Burros informed BLM of the results of the meeting. Wild horse numbers to be maintained were agreed as follows:

300 horses on RSGA lands north of 1-80 from the Green River east to the District boundary,

300 horses in the area west of Highway 187 (now 191), to the District boundary north of the RSGA lands, extending into District #5 (Pinedale Resource Area),

400 horses north of the checkerboard area and east of Highway 187 (now 191) to the District boundary on the east,

200 horses south of the Union Pacific Railroad right-of-way east of Green River to the east District boundary on checkerboard lands, and

400 horses east of the Green River and south of the checkerboard lands to the east district boundary.

The RSGA said they recognized that horse numbers on checkerboard lands may be greater during extreme winters due to horses moving onto traditional winter range from solid block public lands to the north. They asked that emphasis be placed on removing excess wild horses when numbers substantially exceed the agreed numbers. The RSGA understands that there may be seasonal increases.

In March 1981, the District Court ordered BLM to "remove all wild horses from the checkerboard grazing lands in the Rock Springs District except that number which the Rock Springs Grazing Association voluntarily agrees to leave in said area."

In March 1981, the District Court ordered that appropriate level for horse herds on the Salt Wells/Pilot Butte checkerboard lands is the level agreed to by the landowners and that all horses above such levels are excess within the meaning of the Act. The District Court ordered that the management level for horses in the Sandy area (approximately the former Big Sandy Resource Area in the northern part of the Green River Resource Area, now called the Rock Springs Field Office area) is 825 animals.

A 1990 EA covering gathering excess wild horses in the three herd management areas and in the Firehole area was appealed to the Interior Board of Land Appeals (IBLA). On July 27, 1990, the IBLA affirmed the BLM decision to gather excess wild horses, in part. The BLM May 29, 1990, decision to gather excess wild horses was placed into full force and effect, to the extent that it is applicable to the areas described in the 1981 District Court Order. The IBLA asked appellants for additional reasons why the decision should not be affirmed. On February 22, 1991, the IBLA affirmed the BLM decision to gather wild horses in the herd management areas as described in the 1990 EA. The decision found that the plans for gathering wild horses and the AMLs used were in compliance with the District Court Order.

In 1993, an EA was prepared to analyze wild horse gathering from inside and outside HMAs for the period of July 1993 through April 1994. Administrative determinations based on this EA were prepared with updated census data and numbers of horses to be gathered in 1995, 1997, and 1998.

Annual state-wide hearings on the use of helicopters and motor vehicles for wild horse gathering have been held annually in accordance with 43 CFR 4740.1(b). Most people commenting have supported the use of helicopters and the management of wild horse numbers.

DISTRIBUTION

This EA has been distributed to the public for review and comment. A press release was issued in the local and state media informing the public that the EA had been prepared and is available to the public. Copies of the EA are available at the Rock Springs Field Office and Wyoming State Office in Cheyenne. The EA has been distributed to the following organizations and individuals:

Federal

U.S. Senator Craig Thomas
U.S. Senator Mike Enzi
U.S. Representative Barbara Cubin
Bureau of Land Management, Wild Horse & Burro National Program Office

State of Wyoming/County Governments

State agencies via State Clearinghouse
State Senators and Representatives
Mayors of cities within Sweetwater County
Sweetwater, Sublette, and Fremont County Commissioners
Land Use Planning Office

Wild Horse Organizations

American Baskir Curly
American Horse Council, Inc.
American Horse Protection Association
American Humane Association
American Mustang and Burro Association
American Mustang Association
Animal Protection Institute of America
Burro Rescue-Rehab-Relocation-ONUS
Carey Ranch WHB Sanctuary
Colorado Horse Rescue
Colorado Wild Horse and Burro Coalition
Ecological Heritage Foundation
Friends of the Mustang
Fund for Animals (Andrea Lococo)
Humane Equine Rescue and Development Society
Humane Society of the US
IDA - (Lynn Pauly)
International Striped Horse Association
International Society for the Protection of Mustangs and Burros
LIFE Foundation
Middle Tennessee Mustang Association
Mustang, Inc.
National Wild Horse Association
National Wild Horse and Burro Show
Nevada Commission for the Preservation of Wild Horses
North American Mustang Association and Registry
Pacific Wild Horse Club
Project Equine
Pryor Mountain Mustang Association
Public Lands Resource Council
Society for Range Management
Whole Horse Institute
Wild Horse Organized Assistance

Other Organizations

Law Firm of Marty & Ragsdale
Rock Springs Grazing Association
Wyoming Wool Growers Association
Doris Day Animal League (Liz Clancy Lyons)
Livestock Operators holding grazing permits in allotments located within HMAs
National Wildlife Federation
Natural Resources Defense Council
Sierra Club
Earthjustice Legal Defense Fund
Rocky Mountain Elk Foundation
Western Mule Deer Foundation

Sweetwater Wildlife Association
University of Wyoming, Department of Range Management
Wyoming Advocates for Animals
Wyoming Public Lands Council
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GLOSSARY

APPROPRIATE MANAGEMENT LEVEL (AML): The optimum number of wild horses that provides a thriving natural ecological balance on *the public* range.

BAND: A group (1 or more) wild horses banded together.

CHECKERBOARD LANDS: Lands on both sides of the Union Pacific Railroad (running in an east-west direction across Wyoming) where alternating sections are public and private lands. When different colors are used to show the land ownership in the area on a map, the map resembles a checkerboard.

EXCESS WILD HORSES: Wild free-roaming horses which have been removed from public lands or which must be removed to preserve and maintain a thriving ecological balance and multiple-use relationship.

THRIVING NATURAL ECOLOGICAL BALANCE: An ecological balance requires that wild horses and burros and other associated animals be in good health and reproducing at a rate that sustains the population; that key vegetative species are able to maintain their composition, production and reproduction; that soil resources are being protected, maintained or improved; and that a sufficient amount of good quality water is available to the animals. Determining if ecological balance is being maintained over the long term is best judged through monitoring of the ecological condition of the herd's habitat. In the short term, progress toward this goal can be measured through evaluation of actual use (population census) and vegetative utilization studies. Because utilization levels may vary considerably from year to year due to a variety of factors, it may take several years to establish a trend in utilization levels. Regardless of annual fluctuations, utilization of the key forage species should never be allowed to exceed the level needed to maintain long-term health of the ecosystem. Over the long term, trend in herd demographics, and habitat should be monitored to ensure an ecological balance. Because of extraordinary circumstances, natural disasters, and the natural variation in habitat components, unplanned livestock and wild horse and burro population adjustments may be needed occasionally to maintain the ecological balance. Temporary population adjustments in response to these factors do not establish a new AML.

WILD HORSE HERD MANAGEMENT AREA (HMA): A designated area where a viable population of wild horses is to be maintained. An appropriate management level for wild horses is established to manage the wild horses on the public rangelands.

LITERATURE CITED

Berger, J. 1990. Persistence of Different-sized populations. An empirical assessment of rapid extinction in big horn sheep. *Conservation Biology* 4:91-98.

APPENDICES

APPENDIX A

WILD HORSE CAPTURE PLAN 1999 ROCK SPRINGS and RAWLINS FIELD OFFICES, WYOMING

Introduction

The purpose of this plan is to outline the methods and approaches to gathering 2,550 wild horses and removing approximately 1,750 from both private and BLM-administered lands in the Rock Springs Field Office area, and approximately 400 excess wild horses from both private and BLM-administered public lands in the Rawlins Field Office area. These wild horses will be gathered from inside four wild horse herd management areas (HMAs), and from area located outside the HMAs known as the North Baxter/Jack Morrow Hills area in the Rock Springs Field Office area and from the area outside of HMAs south of Interstate 80 in the Rawlins Field Office area. Selective removal policy would apply and those wild horses not selected for removal would be released in the Great Divide Basin HMA (Rock Springs Field Office area) or the Adobe Town HMA (Rawlins Field Office area).

BLM Committed Measures

Cultural resource clearances would be conducted prior to actual gathering operations. BLM Archeologist would be notified if any cultural resources are discovered during gathering operations. Appropriate action would be determined at that time.

Trap sites would be surveyed and cleared for threatened, endangered, candidate, and sensitive plant and animal species prior to construction.

Removal operations would be in accordance with selective removal guidelines. However, implementing selective removal criteria would not be applied if the sex ratio is skewed to the point where herd viability is affected.

Gathering operations would avoid active raptor nests.

Trap sites would not be located on or near sage grouse habitat during breeding or nesting periods.

Trap sites would not be constructed in riparian or wetland areas.

Traps would not be constructed in Wilderness Study Areas.

Existing roads and trails would be used. No roads would be constructed.

Operations would not occur when it is so wet that resource damage would occur. Should resource damage occur while conducting gathering operations, it would be reclaimed in accordance with BLM reclamation procedures.

If needed, only certified weed-free hay would be used during gathering operations.

Blood samples of some released wild horses in each HMA will be collected for typing and DNA analysis. This baseline data will be compared against samples collected every 5 years to determine if population sizes are effective.

Capture Methods

Helicopter Drive trapping will be the primary capture method. Throughout the years, this has proven to be a safe, effective, and humane method of gathering wild horses. This technique has been in use in Wyoming since June 1, 1977. Use of helicopters is in conformance with Section 9 of Public Law 92-195 which states "...the Secretary may use or contract for the use of helicopters or, of the purpose of transporting captured animals, motor vehicles...such use shall be undertaken only after a public hearing...." A public hearing took place February 8, 1999.

Selective Removal of wild horses will be based on current Selective Removal Policy as established in Instruction Memorandum 99-053 (see Appendix C). Horses 5 years old and under will be selected from inside HMAs for removal. Once the AML is achieved the balance of the younger horses along with those not selected for removal would be returned to their respective HMAs.

Wild horses gathered from outside HMAs would be selected based on the following criteria:

- Age 0-9 Female - remove all for adoption.
- Age 0-7 Males - remove all for adoption.
- Age 10+ Mares - release all as specified in EA.
- Age 08+ Studs - release all as specified in EA.

All wild horses aged 5 and under would be placed in the adoption system. Horses aged 6 and over would be placed in training and then into the adoption system.

Herding and Stress Reduction Procedures

Wild horses will not be herded over a distance of 10 miles. This distance may be reduced by the Authorized Officer after consideration of temperature, topography, soil type/condition, horse condition, or other pertinent factors. When trap locations are selected, they are placed in as close proximity to the horses as is practical. For this reason, it is imperative that actual trap site locations remain flexible to accommodate horse distribution.

Horses will be allowed to choose their own rate of travel, and the helicopter pilot will stay well away from the animals while maintaining visual contact. As the trap is approached, pressure from the helicopter will increase. When the horses are in the wings or near the mouth of the wings a "parade horse" will be released to lead them to the trap. Concurrent with this action, wranglers will follow the horses and encourage them into the trap and close the gate. Several herding runs may be made in a day.

A visual barrier of plastic snowfence will be placed on all gates and pens. This helps reduce the possibility of injury and, the visual barrier tends to settle the horses down in the pens.

Sorting in a trap will be minimized to the extent possible. Foals under 6 weeks old will be sorted off and hauled separately, then reunited with their mothers at the holding facility. If horses are sorted in the field, the field sorting/holding facility may be one of the traps. In this case, the horses

would be sorted by sex and age and the release horses would be held until the gather in the area is completed before they would be released. If the horses are not sorted in the field, they would be hauled to the Rock Springs holding/preparation facility for sorting and later hauled back to their respective HMA. In the case release horses gathered outside of the HMAs, they would be released into the Great Divide Basin HMA (Rock Springs Field Office) or Adobe Town HMA (Rawlins Field Office). As outlined in the proposed action, the Great Divide HMA would be reduced 40 head below the low range of AML to accommodate this action.

While herding bands having small foals, extra care will be exercised and operations monitored. At anytime a mare and foal start to fall behind the band, the mare and foal will be dropped. If the mare refuses to leave the band to stay with her foal, then the band will be left. If a foal becomes separated from its mother, every effort will be made to assure either capture or otherwise rejoining of the mare and foal.

Roping

The primary method for gathering wild horses in Wyoming is helicopter drive trapping. Roping may be used occasionally as a supplemental gathering technique under certain circumstances such as when a mare is captured but the foal is left behind, when a young horse refuses to enter the trap, or when there are escaped horses in an area of total removal (outside an HMA). In cases where more than occasional roping is anticipated, roping would proceed after consultation with the Field Manager.

Trap Sites

Established trap sites will normally be used. New trap sites will be established as deemed appropriate and surveyed for cultural values, and endangered, threatened, or sensitive plants and animals before the trap is constructed. Traps will be located away from active raptor nests and will not be constructed when soils are so saturated that resource damage would occur. In the event that resource damage does occur, it would be reclaimed. Traps will not be constructed in riparian areas or wilderness study areas. No new roads would be constructed and vehicle traffic would normally be restricted to existing roads and trails.

Trap Construction .

Normally, traps will be constructed using 6-foot steel panels in 10- to 12-foot lengths. Three main catch/holding pens are normally constructed. A small pen separate from the main holding pens will be constructed to hold small foals or other animals with special handling requirements. Variations in trap design may be necessary based on site-specific requirements. Slide wooden gates are used in the loading alley to prevent injury. A portable loading chute will be used to load horses onto trucks. Trailers will be loaded by attaching panels to the existing loading alley for a trailer load area.

Wings will extend out from the trap for a variable distance depending upon the trap site. Normally, wings extend out from the trap 100 to 200 yards and are up to 100 yards in width at the mouth of the wings. A burlap like material called "jute" is suspended from steel fence posts placed 20 to 25 feet apart and provides the necessary visual barrier to direct the wild horses into the trap.

Fences or Other Hazards to Wild Horses

Although fences are not a major problem, they may be encountered during gathering operations. The pilot will be briefed and provided a map, in accordance with the aviation safety plan, showing all fence or other hazard locations (e.g., cliffs, steep washes, unfenced highway corridors, etc.) that could pose problems. The contract pilot currently in use in Rock Springs has approximately 20 years of herding experience in this area and is familiar with most fences and other hazards. If it should become necessary to move horses through fences to a trap, at least 30 feet of fence (or a fence gate if available) will be laid back and jute, black plastic, or other material that provides a visual barrier will be placed on each side where the wire is laid back. A small wing of jute will be placed out from the fence as is necessary to guide the horses through the fence.

Transportation

Straight deck stock trailers (semi), stock trucks, and horse trailers will be used to transport the horses from the trap site to a central holding facility. Contract trucks/trailers that are routinely used to haul wild horses may be used as needed. All equipment will be inspected prior to use and will be in good condition. Wood shavings will be used on flooring to help provide secure footing. All trailers and stock trucks will be loaded loose enough to ensure that if a horse should fall it will have enough room to regain its footing.

If the capacity of the Rock Springs facility is reached and additional adoptable horses need to be prepared (i.e. freeze marked, vaccinated, wormed and a Coggins Test for EIA), they may be shipped to the cooperating facility for preparation. This would require a waiver from the state veterinarian of the receiving state. The facility would be BLM-managed and routinely involved in the preparation and shipment of wild horses. Only wild horses aged 5 and under will be shipped to cooperating facilities. If horses are sorted in the field, then adoptable horses may be shipped directly from the field to a cooperating preparation/holding facility. If the horses are sorted at the Rock Springs facility, the horses selected for release will be hauled back to their respective HMAs and released upon completion of the gather in a specific HMA. As necessary, adoptable horses will then be shipped from Rock Springs to the cooperating facility as the capacity of the Rock Springs facility is reached.

Prepared animals may be transported to other approved facilities for temporary holding.

Corral Capacity

The capacity of the Rock Springs preparation/holding facility is 500 wild horses. To achieve the objectives of the proposed action, it may be necessary to use other preparation/holding facilities (i.e., Salt Lake City) as indicated. In addition, adoptable horses that are ready for adoption, (i.e., freeze marked, negative Coggins test, primary and booster vaccinations, and wormed) will need to be shipped east for adoption.

Sorting/Release of Non-selected Wild Horses

All captured wild horses to be removed will be screened against current guidelines under the selective removal policy. Any horses that must be returned to the range will be returned to the HMA from which they were captured, or in the case of wild horses captured from outside HMAs (North Baxter/Jack Morrow Hills or area south of I-80) would be returned to the Great Divide Basin

HMA or Adobe Town HMA (or other nearby HMA). Young wild horses, 5 years and younger, not selected for removal would be returned to their respective HMA.

Sorting may be done at a field sorting/holding facility constructed in the HMA or at the Rock Springs holding/preparation facility. Horses would be sorted by age and sex in accordance with the selective removal criteria.

Humane Destruction and Disposal

Any wild horse requiring destruction, as determined by the Authorized Officer, would be destroyed and disposed of in accordance with Instruction Memorandum 98-141. Humane destruction of wild horses is provided for in the Wild and Free-Roaming Horse and Burro Act, as amended, Section 3 (b) 2 (A), 43 CFR 4730.1, and BLM Manual 4730 (*Destruction of Wild Horses and Burros and Disposal of their Remains*).

Branded and Claimed Horses

Branded and/or claimed horses will be transported to the preparation/holding facility at Rock Springs. Ownership would be determined under the estray laws of the State of Wyoming by a Wyoming Brand Inspector. Collection of gather fees and any appropriate trespass charges would be collected at the time of change of possession.

Gathering Areas

Gathering will begin no earlier than July 15, 1999, 45 days after the peak of foaling.

Great Divide Basin

Remove 306 excess wild horses. Includes 40 head below low point AML to accommodate release of non-selective horses from outside HMA horses. This will leave this HMA at the low point of AML.

The Great Divide Basin HMA covers approximately 772,915 acres including the Red Desert Basin north of Interstate 80.

The southern 75 percent of the HMA has 1-80 as its southern boundary and is mostly unfenced "checkerboard" lands. The northern 25 percent of the HMA is mostly solid block public lands with minor amounts of intermingled State and private lands. The northern boundary, along the Sweetwater River, is fenced. The western boundary is the unfenced west branch of the Continental Divide. The eastern boundary is the fenced boundary between the BLM Rock Springs and Rawlins Field Office areas.

The appropriate management level (AML) established for wild horses in the Great Divide Basin wild horse herd management area and agreed to by private landowners is set at 500 horses (415 - 600). BLM conducted aerial monitoring during March 1999 and counted 568 wild horses in the HMA. After the 1999 foaling season, the population is projected to be approximately 681 head. Exact locations of traps will depend, in part, on where the horses are when gathering is conducted. Captured, unadoptable horses will be returned to the HMA in accordance with the current Selective

Removal Policy. Approximately 40 horses gathered in the North Baxter/Jack Morrow Hills area, and not selected for removal, would be released in the Great Divide Basin HMA.

Permanent trap locations that may be used include:

12-Mile located in the SE1/4, section 28, T. 22 N., R. 100 W.
Rasmussen located in the NW1/4, section 17 T. 24 N., R. 98 W.

The 12-Mile trap is on checkerboard lands. The Rasmussen trap is north of the checkerboard lands. A total of six traps may be necessary depending on distribution and concentration of wild horses at the time of gathering and may be located in areas other than those described above.

Salt Wells Creek

Remove 690 excess wild horses. This will leave this HMA approximately 100 head above high point of AML. The Fort LaCledé and Titsworth Gap areas are where gathering operations will be concentrated. The Salt Wells Creek herd management area covers approximately 1,193,283 acres south of Interstate 80. BLM counted 882 wild horses in this HMA in March of 1999 but estimate the population at 959. The 1999 post-foaling population is estimated at 1,151 wild horses. If every horse aged 5 and under is removed from this HMA, the low range of the AML will not be reached.

Permanent trap locations that may be used include:

Fort LaCledé located in SWNE, Section 23, T. 17 N., R. 97 W.
Fort LaCledé #2 located in SESE, Section 17, T. 16 N., R. 97 W.
Haystack located in SWNE, Section 27, T. 17 N., R. 96 W.
Titsworth Gap located in SWSW, Section 23, T. 15 N., R. 104 W.
Gap Creek located in NWSE, Section 31, T. 14 N., R. 103 W.
Elk Butte located in SESW, Section 7, T. 14 N., R. 102 W.

A total of 8 traps may be necessary depending on distribution and concentrations of wild horses at the time of gathering and may be located in areas other than those described above.

White Mountain

Remove 289 excess wild horses. This herd will be at low point of AML, and some younger animals will be released.

The White Mountain HMA covers approximately 392,649 acres. It is a significant wild horse viewing area, since the horses are readily seen from Highway 191. The southern two-thirds of the HMA contains a large portion of checkerboard lands. The northern portion is primarily solid block public lands bordering the Eden Valley irrigation project (which along with the Big Sandy River, forms the northern boundary). The southern boundary (I-80), and the eastern boundary (Highway 191) are fenced. The western boundary is the Green River and is partially fenced.

The wild horse population in this herd management area has generally been maintained at the agreed appropriate management level of 250 since 1981 with some cyclic fluctuations. Gathers have been conducted since that time to maintain the wild horse population within the AML of 205 and 300. Wild horses will be selected for removal based on the Herd Management Area Plan and current

Selective Removal Policy. The lower end of the AML will be achieved if most 5 years and under wild horses are removed.

Permanent trap sites that may be used include:

Skunk Canyon located in NWNE, Section 11, T. 20 N., R. 107 W.
Starvation Wash located in SWSW, Section 17, T. 22 N., R. 107 W.
Stage Coach Draw located in NESE, Section 12, T. 23 N., R. 107 W.
Alkali Draw located in NENE, Section 10, T. 21 N., R. 106 W.
Green Canyon located in SESE, Section 26, T. 19 N., R. 107 W.

A total of 6 traps may be necessary depending on distribution and concentrations of wild horses at the time of gathering and may be located in areas other than those described above.

Little Colorado

Remove 113 excess wild horses. This will leave this HMA near the low point of AML. The Little Colorado HMA contains 519,541 acres and the eastern boundary follows Highway 191; the southern boundary follows the Big Sandy River west of Farson; the western boundary is the Green River; and the Field Office area boundary makes up the northern boundary. The AML range is between 69 and 100 head. Existing population numbers are estimated from the 1998 census. Captured unadoptable horses will be returned to this area in accordance with the current BLM selective removal policy.

Permanent trap sites that may be used include:

12-Mile Canyon located in NWSW, Section 2, T. 24 N., R. 109 W.
18-Mile Canyon located in NWNW, Section 3, T. 25 N., R. 109 W.
Cut-Off Road located in SESE, Section 14, T. 25 N., R. 109 W.
East Buckhorn located in NWNE, Section 14, T. 26 N., R. 110 W.

A total of 4 trap sites may be necessary depending on distribution and concentrations of wild horses at the time of gathering and may be located in areas other than those described above.

North Baxter/Jack Morrow Hills Area

Capture 183 wild horses. Approximately 40 older horses will be released in the Great Divide Basin HMA.

The North Baxter/Jack Morrow Hills area is outside any wild horse herd management areas. It lies north of Interstate 80 and is bounded on the west by Highway 191, north by Highway 28, and on the east by the western boundary of the Great Divide Basin wild horse herd management area. The March 1999 inventory counted 143 wild horses and estimated the number at 152. The projected post foaling 1999 population is 183. Total removal of all wild horses from the North Baxter/Jack Morrow Hills area will be attempted.

The following traps sites have been used in the past and may be used again include:

North Baxter located in NENE, Section 17, T. 20 N., R. 103 W.
North Baxter II located in SENE, Section 21, T. 20 N., R. 103 W.
North Pack Saddle located in NESE, Section 2, T. 25 N., R. 103 W.
Jack Morrow located in NENE, Section 32, T. 25 N., R. 102 W.

A total of 4 traps may be necessary depending on distribution and concentrations of wild horses at the time of gathering and may be located in areas other than those described above.

South of Interstate 80 (Rawlins Field Office)

Remove approximately 400 wild horses. Approximately 90 older horses would be released into the Adobe Town HMAs.

This area is outside any HMAs. It lies south of Interstate-80 and is bounded on the west by Highway 789, on the east by Adobe Town and Salt Wells Creek HMAs. The February 1999 inventory counted 332 wild horses. Total removal of all wild horses from this area will be attempted. At least 10 trap sites will be necessary and more trap sites will likely be needed.

The following trap sites have been used in the past and may be used again include:

East Delany located in the SESE, Section 24, T. 18 N., R. 95 W.

Other traps may be placed at or near the following areas:

Coal Bank Lake, near Section 32, T. 18 N., R. 93 W.
Windmill Draw, near Section 26, T. 16 N., R. 94 W.
North Flat Top, near Section 1, T. 14 N., R. 93 W.
South Flat Top, near Section 9, T. 13 N., R. 92 W.
Pasture C, near Section 33, T. 13 N., R. 93 W.
Cherokee, near Section 36, T. 13 N., R. 95 W.
Ruedloff, near Section 35, T. 13 N., R. 96 W.

Other trap site locations may be necessary.

Handling Methods

Contract vs In-House

The horses will either be gathered with a contract crew, or an in-house BLM crew, or a combination of the two. Techniques and methods are essentially the same.

BLM Crew-Sorting Rock Springs

Employees: There will be one wrangler foreman and three wranglers most of the time. The wranglers will also serve as truck drivers. Some situations may call for additional personnel.

Methods: The daily capture will not normally exceed the number of wild horses that can be transported to Rock Springs preparation/holding facility. Additional contract trucks will be hired as needed. Wild horses will not be left in a trap overnight unless an emergency occurs. (e.g., truck breakdown, muddy roads, or other factors). The daily capture is carefully coordinated with available transport capability. The helicopter will be under contract to BLM and the pilot will provide a fuel truck and driver.

BLM Crew-Sorting in the Field

Employees: There will be one wrangler foreman and five wranglers most of the time. The wranglers will also serve as truck drivers for BLM equipment. Contract trucks will be hired as necessary. Operations will be seven days a week, most of the time. The additional personnel may be needed to field sort, and to water, feed and care for the horses.

Methods: A central holding facility will be constructed in the gather area. This facility will be used to sort horses, hold release horses, and hold adoptable horses pending shipment to a preparation/holding facility. The capability of providing feed and water is a necessity.

After a specific gather area is finished, the horses selected for release will be released from the facility. If natural barriers or other impediments might restrict the horses from returning to their "home range", then the horses will be transported for release.

Equipment

BLM: A semi-tractor and straight trailer with a capacity of 30 to 33 horses will be used. A stock truck, with a maximum of 14 head, will also be used. A one-ton flatbed truck and two-compartment 26-foot horse trailer can haul four saddle horses and up to six separated wild horses. This equipment will be used on most gathers. Other equipment may be used as needed.

Contract Crew Personnel: Normally, a contract crew is composed of a lead wrangler, up to 6 wranglers, a supervisor, and a helicopter pilot and fuel truck driver. Contracts are in place within BLM utilizing two different gather contractors. At the present time, Wyoming is not included under this contract. A contract modification would be necessary to include Wyoming, before a contractor could be used.

Veterinarian Services

A veterinarian will not normally be at the trap sites or field-built sorting facilities. Three contract veterinarians are available in Rock Springs and will be on call, should the need arise. The horses that are transported to Rock Springs for adoption or sorting are inspected by a veterinarian within 24 hours of the arrival. Should the need for a veterinarian arise before this time, they are locally available and will be called to assist or provide advice.

Public Interest

There may be filming by professional filming crews and photographers at trap sites. The Field Office Public Affairs Specialist or other BLM employees will assist in the control of these groups to ensure that they do not add unnecessary stress to the horses or interfere with the gathering

operations. Other requests will be considered as they are received. All media and other visitors will be expected to comply with the directions of a BLM employee assigned to this task.

Safety

All Rock Springs Field Office wild horse gathering safety procedures will be followed.

Aviation special use plan and U.S. Department of the Interior Office of Aircraft Service (OAS) Operational Procedures Memoranda will be followed. All flights will be in accordance with BLM aviation policy.

Passengers will not be allowed in the helicopter during gathering. Transport of other than BLM personnel, at other times, is strictly prohibited.

Only skilled, experienced personnel would be involved in the gathering operations, handling, and transportation of the horses.

APPENDIX B

STANDARDS for HEALTHY RANGELANDS

1. Within the potential of the ecological site (soil type, landform, climate, and geology), soils are stable and allow for water infiltration to provide for optimal growth and minimal surface runoff.
2. Riparian and wetland vegetation has structural, age, and species diversity characteristic of the stage of channel succession and is resilient and capable of recovering from natural and human disturbance in order to provide forage and cover, capture sediment, dissipate energy, and provide for ground water recharge.
3. Upland vegetation on each ecological site consists of plant communities appropriate to the site which are resilient, diverse, and able to recover from natural and human disturbance.
4. Rangelands are capable of sustaining viable populations and a diversity of native plant and animal species appropriate to the habitat. Habitats that support or could support threatened species, endangered species, species of special concern, or sensitive species will be maintained or enhanced.
5. Water meets State standards.
6. Air quality meets State standards.

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APPENDIX C

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240
<http://www.blm.gov>

February 3, 1999

In Reply Refer To:
4710.3, 4730 (260) P
Ref. IM No. 98-141

EMS TRANSMISSION 02/04/99
Instruction Memorandum No. 99-053
Expires: 9/30/00

To: All Field Offices (except Alaska)

From: Assistant Director, Renewable Resources and Planning

Subject: Selective Removal Criteria for Wild Horse and Burro Gathers

Since 1992, the Bureau of Land Management (BLM) has applied a policy of selective removal criteria for wild horses and burros being gathered from public lands. This policy has been reviewed and revised each year in an effort to balance the need to achieve appropriate management levels, minimize the time excess wild horses and burros are held in BLM facilities awaiting adoption and enhance our ability to place those animals into private maintenance and care.

The selective removal criteria from Fiscal Years 1992 through 1995 allow the removal of animals 5 years of age and younger. In 1996, because of drought conditions in many western states, the selective removal policy was changed to allow for the removal of animals 9 years of age and younger. Fiscal Years 1997 and 1998 saw a decline in our ability to place sufficient numbers of animals into private care in order to achieve our goal of reaching appropriate management levels. Numerous factors have accounted for this decline in adoption levels. However, one of the greatest obstacles has been, and continues to be, the reluctance of the public to adopt older wild horses.

We are expanding our efforts to improve our ability to adopt older animals through gelding, gentling, training and improved marketing. Until these proposed enhancements are fully implemented and show positive results, selective removal criteria will be strictly applied for identifying which animals will be placed into the adoption program. Any wild horses received in any of the preparation facilities that do not meet these criteria may be returned to the field office from which they were shipped.

The following selective removal criteria is in effect for all wild horses to be placed into BLM's Adopt-A-Wild-Horse and Burro Program during the Fiscal Year 1999 gathering season:

- A. All wild horses or burros, regardless of age, that are deemed 'unadoptable' by the authorized officer due to disease, serious congenital defect, physical defects due to previous injuries, recent, but not life threatening injuries, or other factors that may prevent adoption, will be returned to the public lands or adopted in-state. If the animal meets the criteria for humane destruction set forth in Washington Office Instruction Memorandum No. 98-141, it will be euthanized in accordance with this policy.
- B. All wild horses removed from within herd areas (HAs) or herd management areas (HMAs) for placement in the national adoption program will meet one of the following criteria:
- Wild horses aged 5 years and younger may be removed and placed into the national adoption program from gathers proposed to achieve or maintain appropriate management levels,
 - Wild horses aged 6 to 9 years may be removed by the Field Offices and placed into the national adoption program provided that all geldings and mares have received gentling or training to improve their ability to be adopted. States will coordinate with the WO-260 on establishing training contracts for these animals prior to scheduling their gathering.
 - Wild horses aged 6 years and older that will not be gentled or receive training to enhance their chances of adoption may be removed at the discretion of the Field Offices provided that: 1) they can be adopted within the Field Office's State of jurisdiction, 2) they can be adopted within that office's or state's budgetary capabilities, and, 3) they will not be maintained in holding facilities for an extended period of time.

These criteria do not apply to wild burros because age has not been a significant inhibiting factor in placing them into private care.

- C. When animals must be removed in response to emergency environmental conditions, the selective removal criteria may be amended with prior written approval of the WO-260. The state where the emergency situation exists will immediately contact the WO-260 to jointly develop criteria or removal for the animals, resolve the emergency and address final disposition of all removed animals.
- D. The criteria listed above in section B will be applied to animals removed in every instance where all animals must be immediately removed from private property as requested by the landowner (nuisance) or where approved land use plan decisions mandate removing all animals from an HA/HMA.

The wild horse and burro selective removal criteria identified in this policy will be effective for all gathers beginning on or after October 1, 1998, as set forth in the FY99 PAWP directives.

Questions concerning this policy should be directed to Tom Pogacnik or Lili Thomas of the Wild Horse and Burro National Program Office at (775) 861-6583.

Signed by:
Tom Walker
Acting Assistant Director
Renewable Resource and Planning

Authenticated by:
Robert M. Williams
Directives, Records
& Internet Group, WO540

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APPENDIX D

POPULATION MODELS

The following pages contain graphic displays of wild horse population modeling for the four HMAs discussed in the preceding environmental analysis. Each series of graphs is preceded by a sheet containing the data parameters included in the models for each HMAs and each trial. All models were run for a period of 10 or 20 years with 30 trials per simulation yielding a minimum total of 300 individual estimates of the wild horse populations (30 trials x 10 years). The wild horse population model was developed by Dr. Steve Jenkins at the University of Nevada - Reno.

WILD HORSE POPULATION MODEL SIMULATIONS

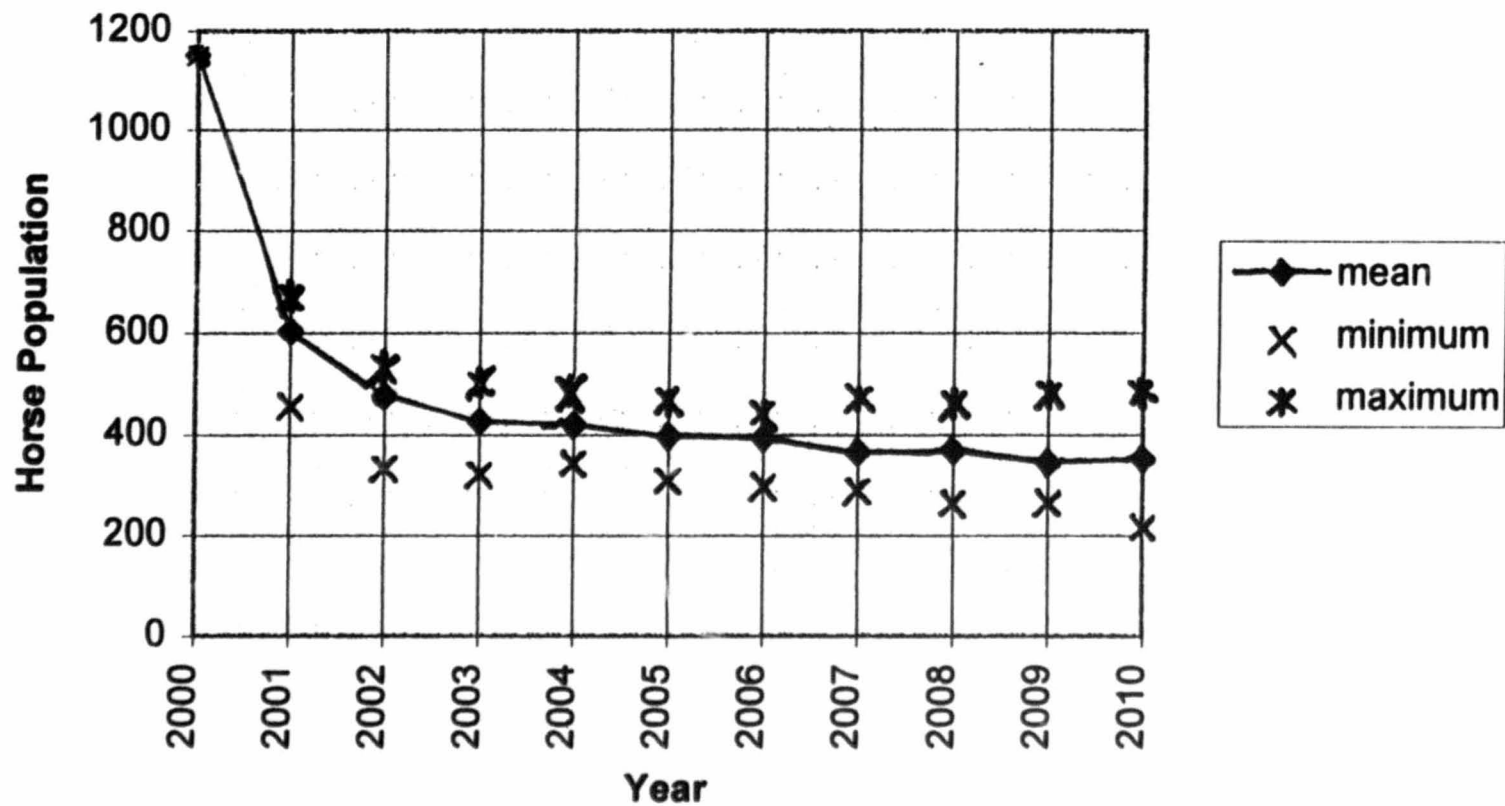
ROCK SPRINGS FO/WSO APRIL 8, 1999

Simulation	SW-1	SW-2	SW-3	SW-4	SW-5
Initial Population	1151	959	365	365	365
Gather When Numbers Exceed	365	365	365	365	365
Gather To	251	251	251	251	251
# of Trials	30	30	30	30	30
# of Years	10	10	10	10	10
Sex Ratio*	40:60	40:60	40:60	40:60	40:60
Age Class Structure**	55:45	55:45	55:45	55:45	55:45
% Captured	80	80	80	80	80
Gather cycle	1	1	1	2	3
Selective removal Criteria	5+	5+	5+	5+	5+
Year Initiated	2000	1999	1999	1999	1999

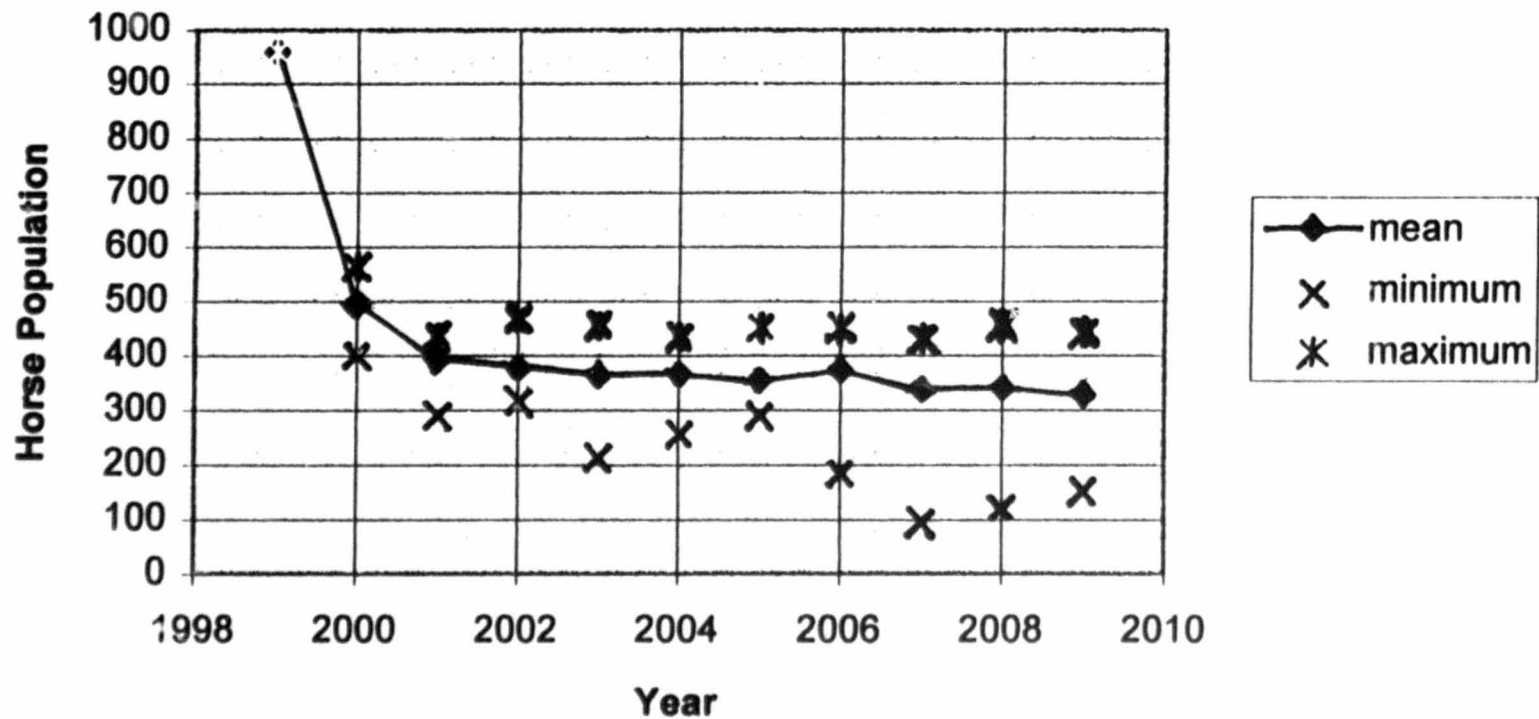
* - males : females

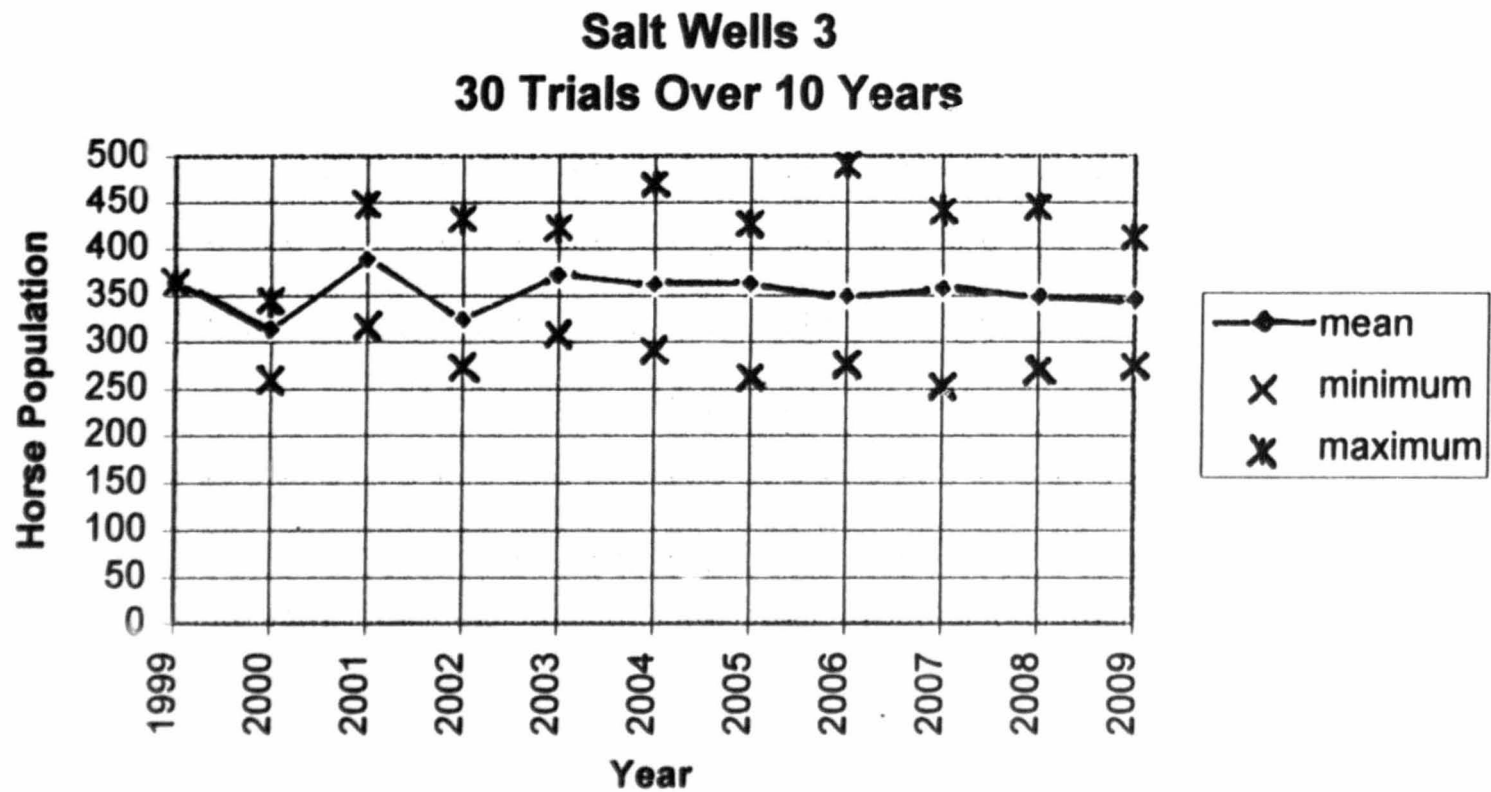
** - animals age class (0-5):(6-20+)

Salt Wells 1 30 Trials Over 10 Years

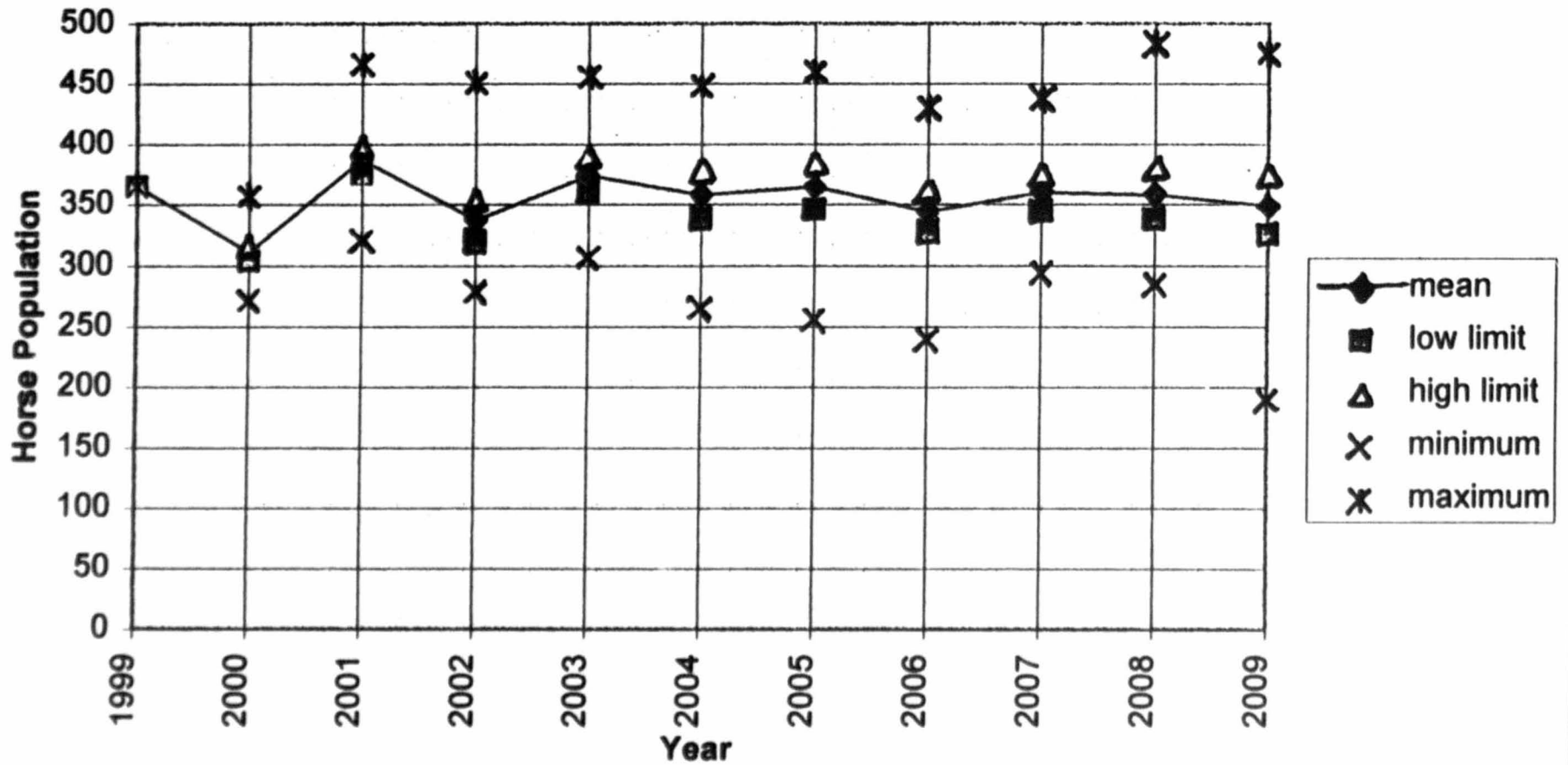


Salt Wells 2
30 Trials Over 10 Years



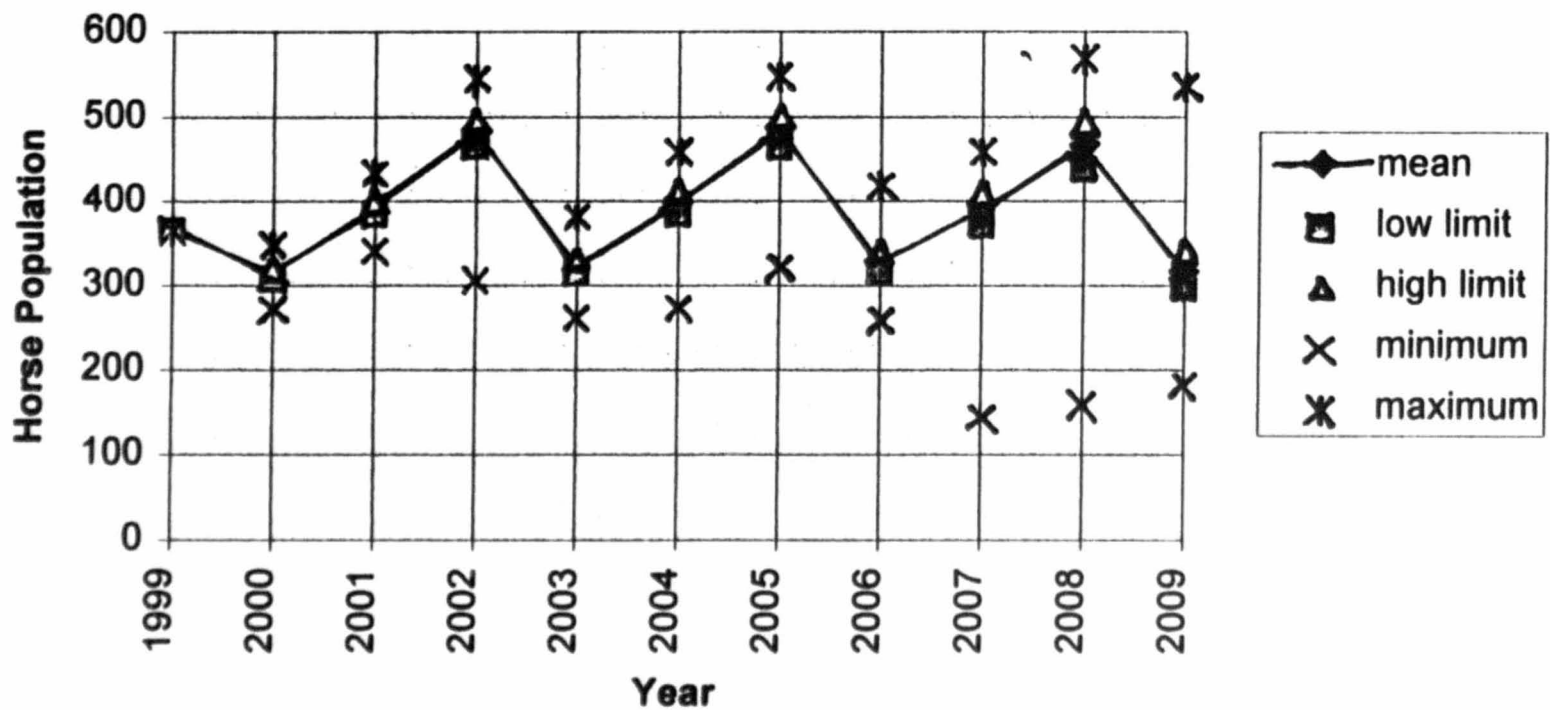


Salt Wells 4



L-D

Salt Wells 5 30 Trials Over 10 Years



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WILD HORSE POPULATION MODEL SIMULATIONS

ROCK SPRINGS FO/WSO APRIL 8, 1999

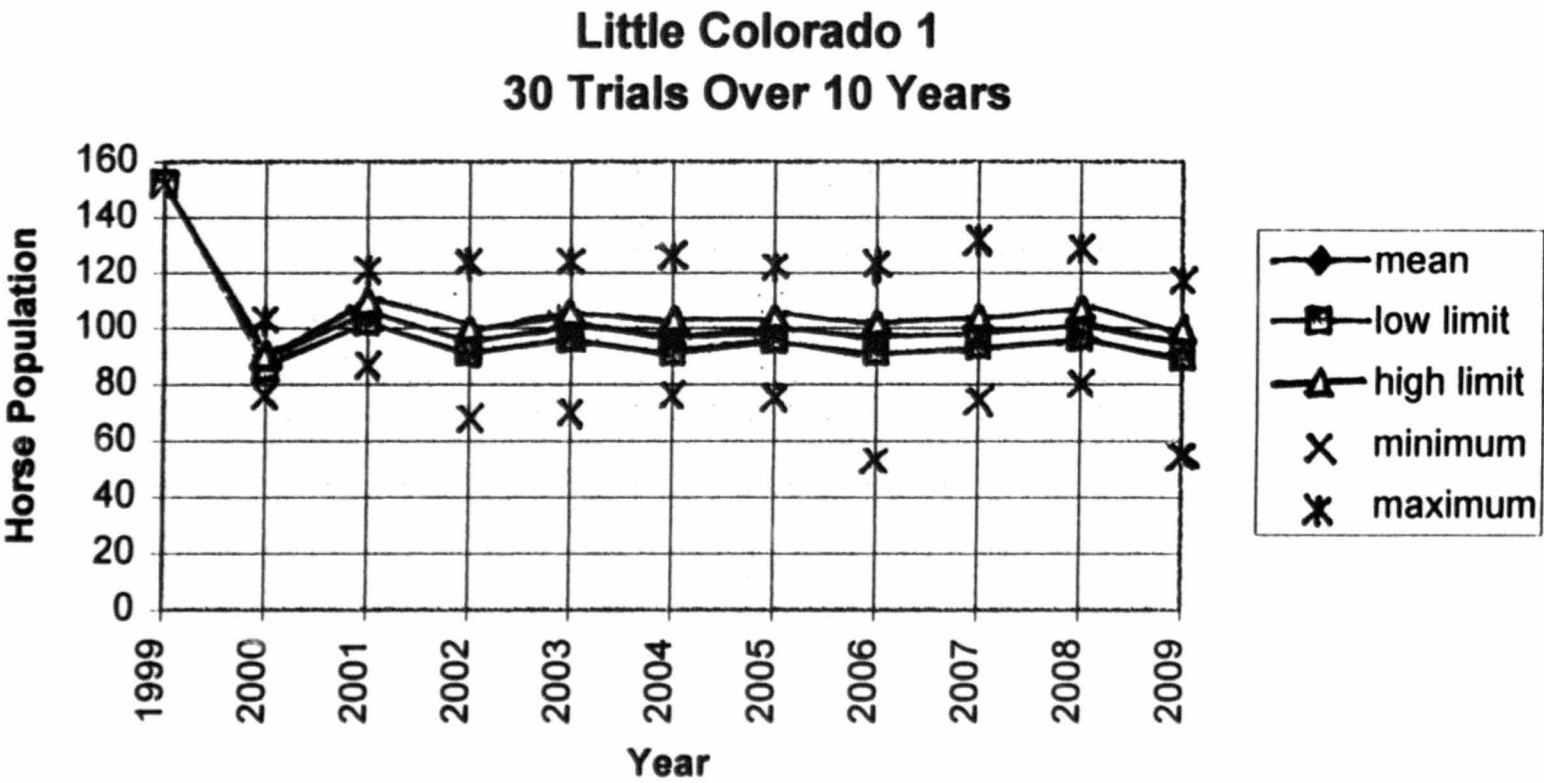
Simulation	LC-1	LC-2	LC-3	LC-4	LC-5	LC-6
Initial Population	152	183	100	100	100	100
Gather When Numbers Exceed	100	100	100	100	100	100
Gather To	69	69	69	69	69	69
# of Trials	30	30	30	30	30	69
# of Years	10	10	10	10	10	10
Sex Ratio*	55:45	55:45	55:45	55:45	55:45	55:45
Age Class Structure**	40:60	40:60	40:60	40:60	40:60	40:60
% Captured	80	80	80	80	80	80
Gather cycle	1	1	1	2	3	3
Selective removal Criteria	5+	5+	5+	5+	5+	5+
Year Initiated	1999	2000	1999	1999	1999	1999

* - males : females

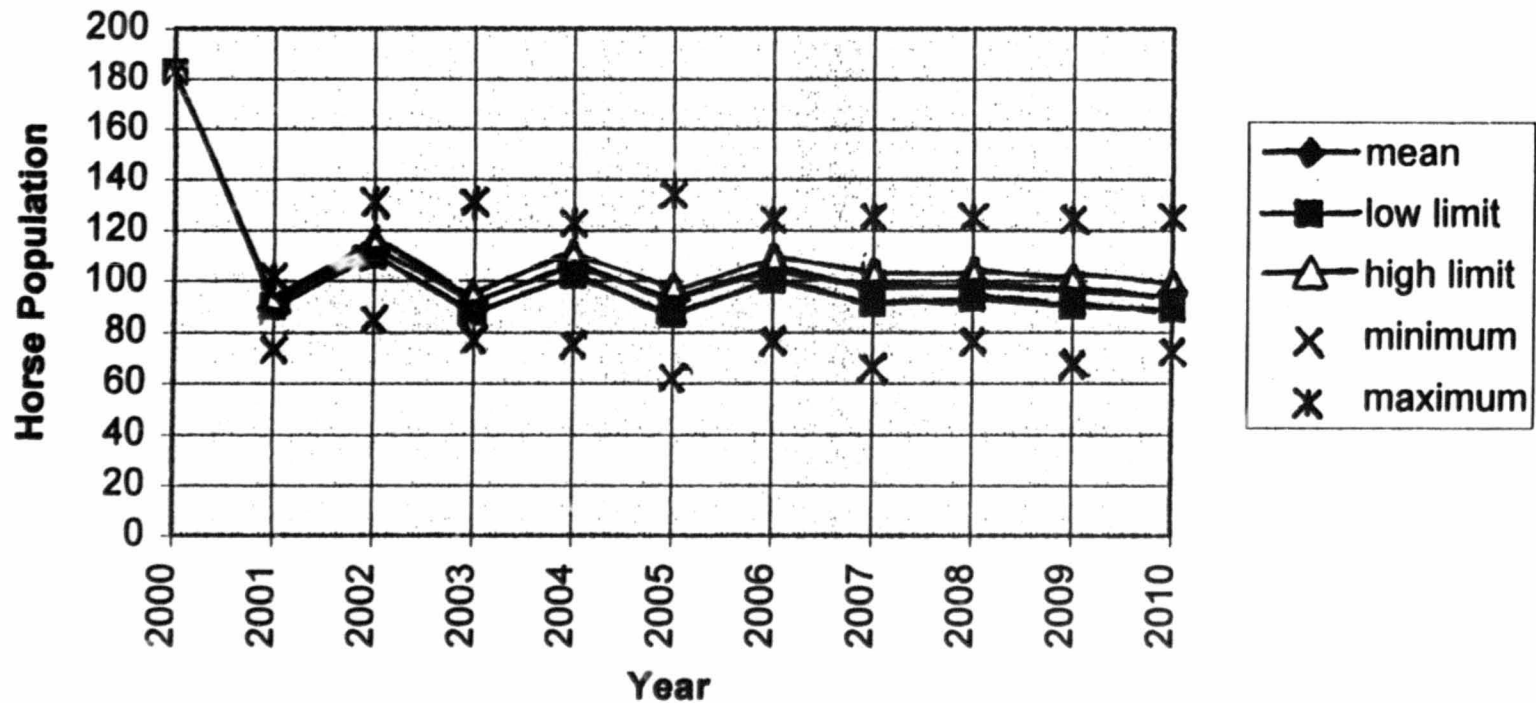
**-. animals age class (0-5):(6-20+)

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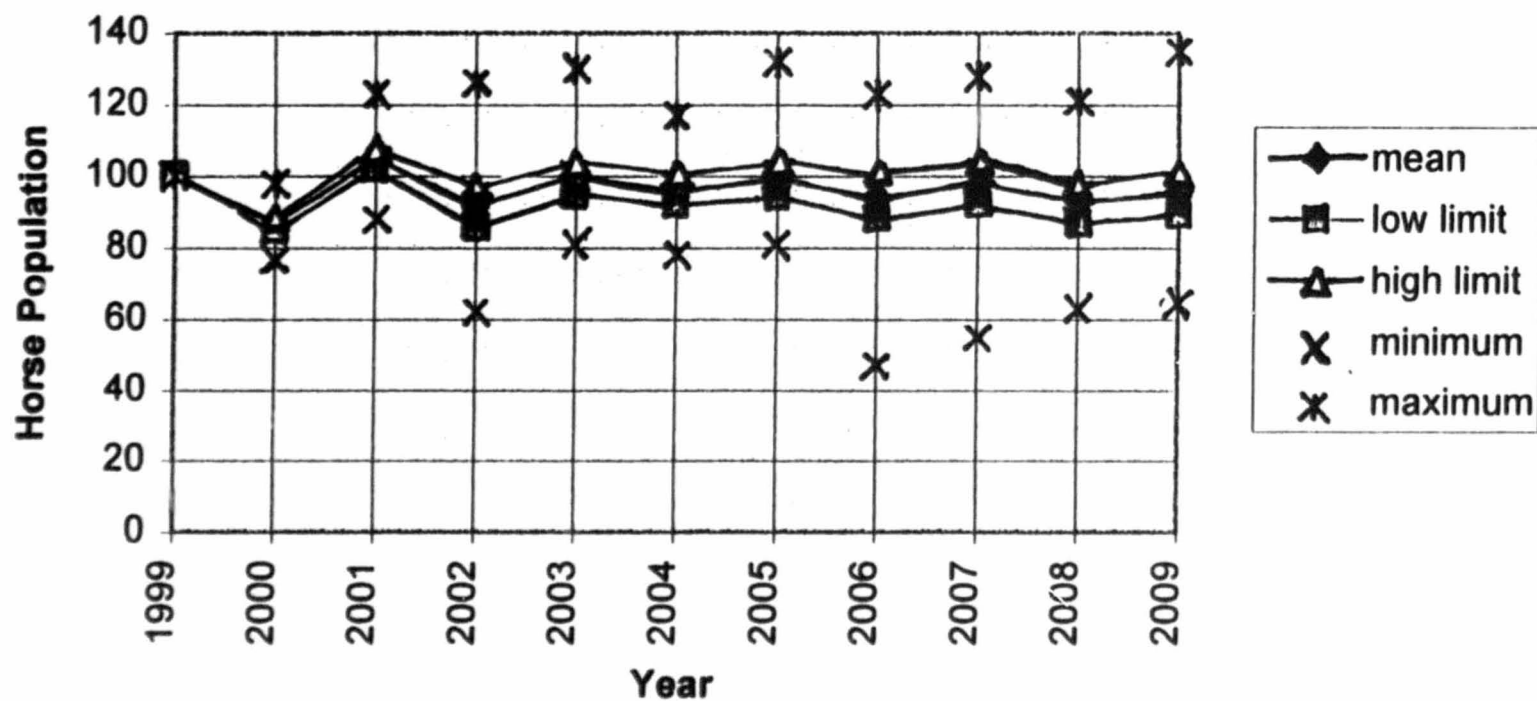
D-8



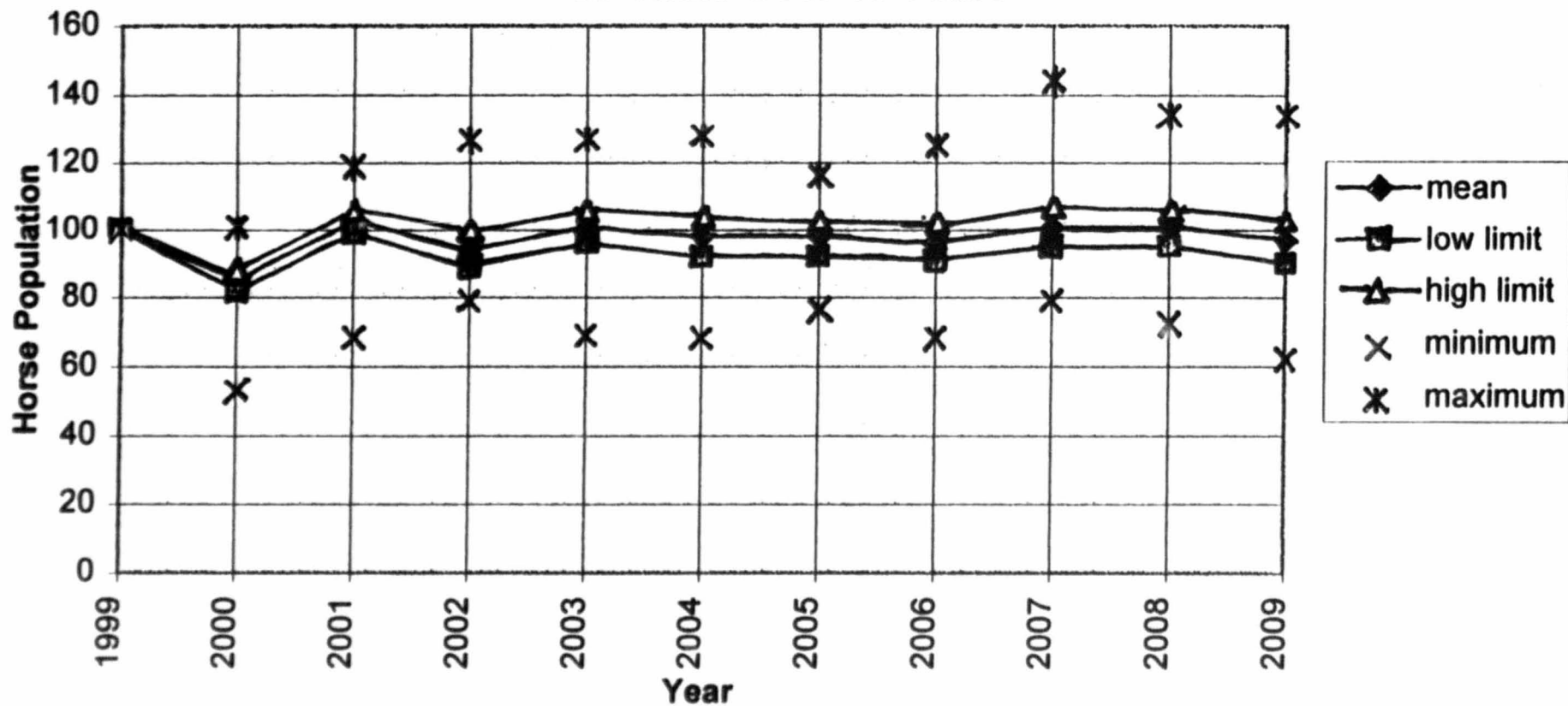
Little Colorado 2 30 Trials Over 10 Years



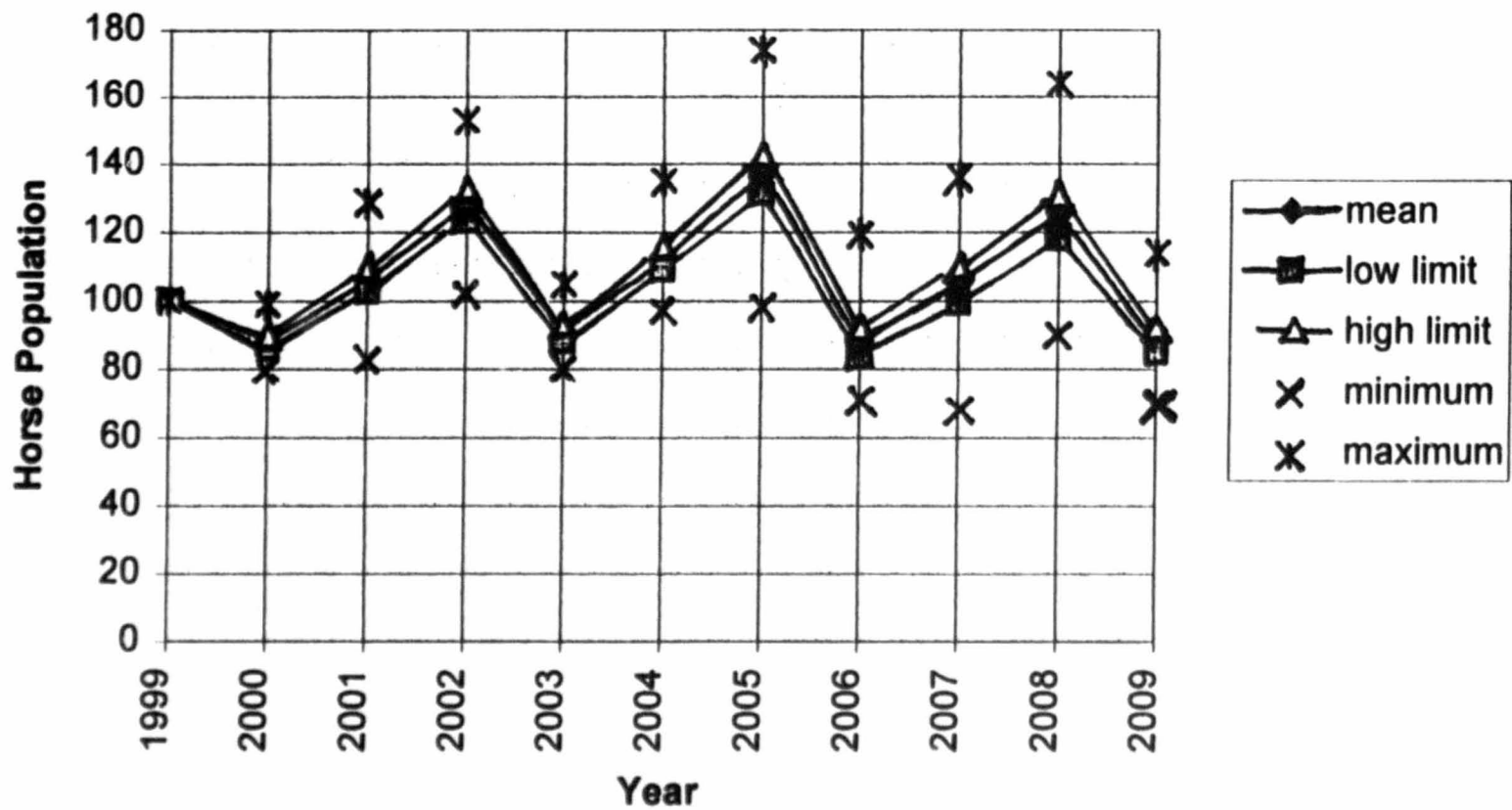
Little Colorado 3 30 Trials Over 10 Years

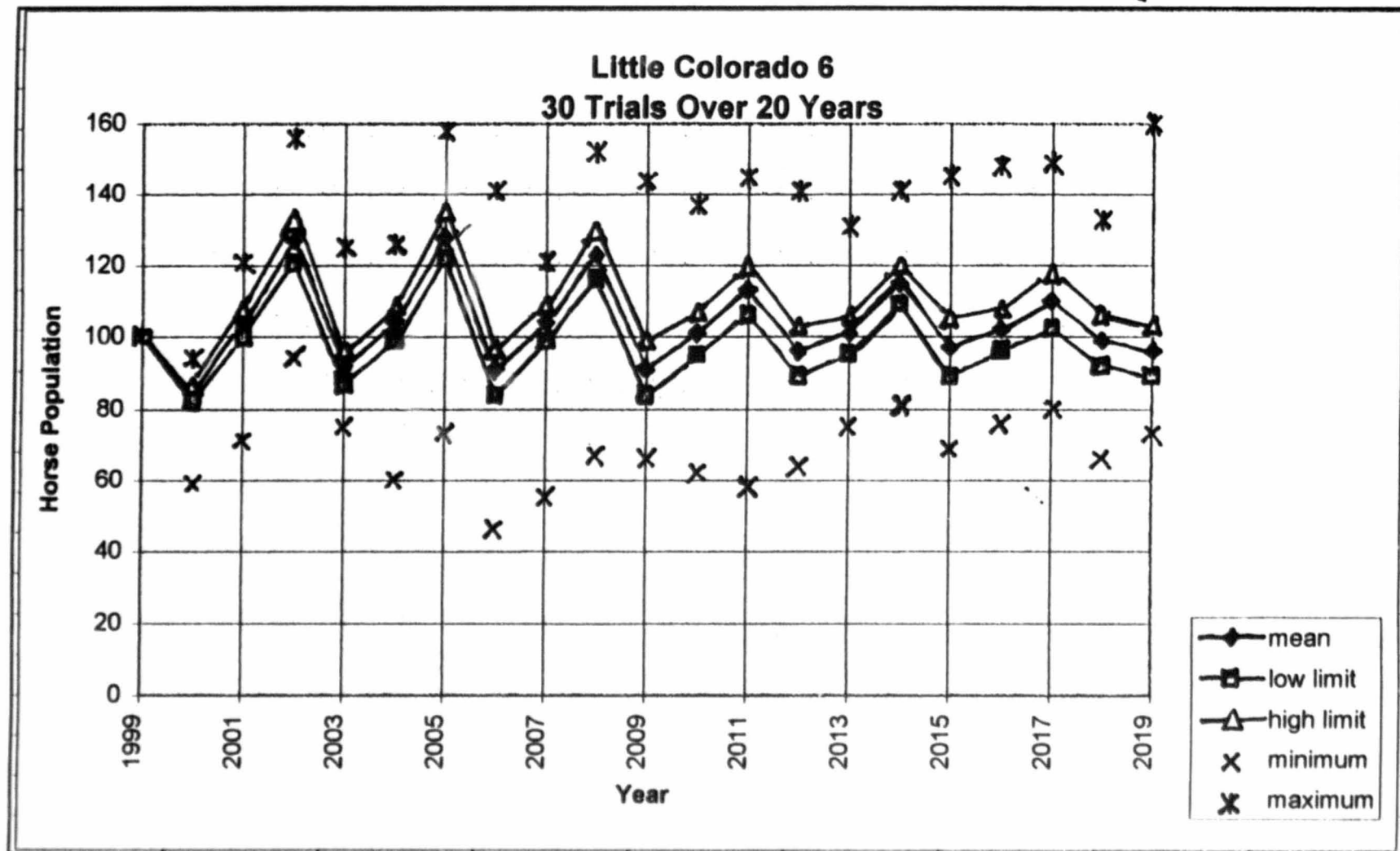


Little Colorado 4 30 Trials Over 10 Years



**Little Colorado 5
30 Trials Over 10 Years**





WILD HORSE POPULATION MODEL SIMULATIONS

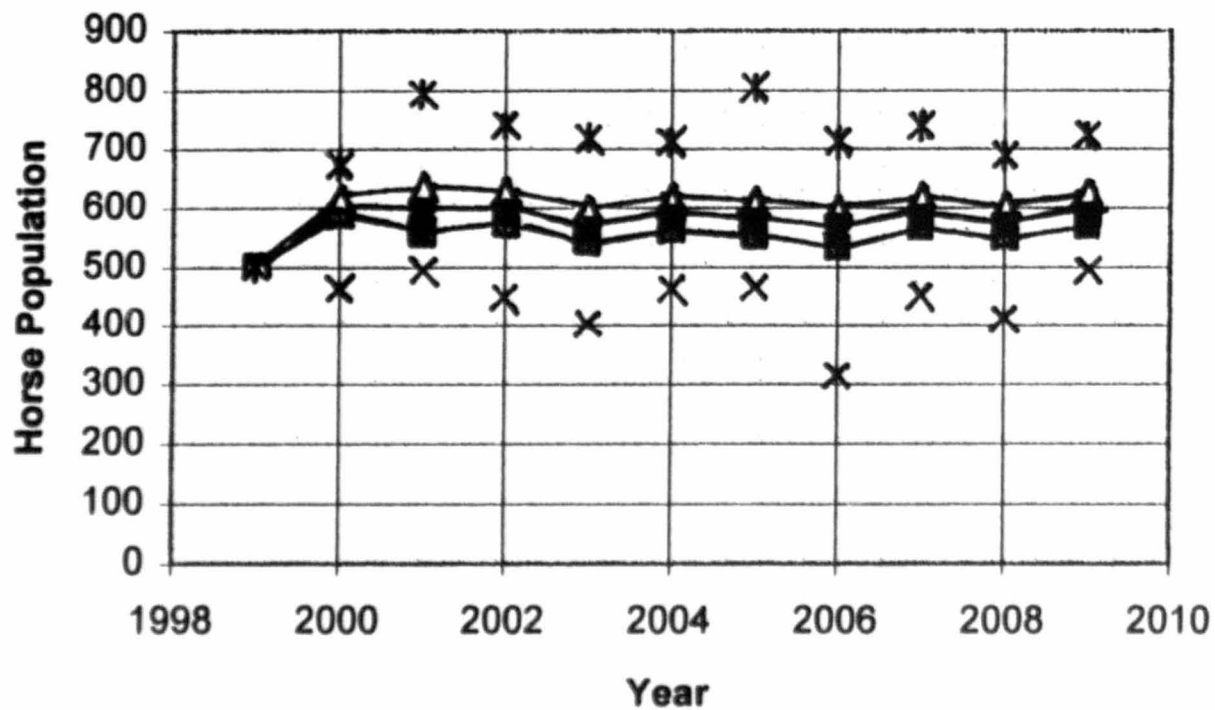
ROCK SPRINGS FO/WSO APRIL 8, 1999

Simulation	GDB-1	WM-1
Initial Population	500	250
Gather When Numbers Exceed	600	300
Gather To	415	205
# of Trials	30	30
# of Years	10	10
Sex Ratio*	55:45	55:45
Age Class Structure**	40:60	40:60
% Captured	80	80
Gather cycle	2	2
Selective removal Criteria	5+	5+
Year Initiated	1999	1999

* - males : females

**-. animals age class (0-5):(6-20+)

Great Divide Basin 1 30 Trials Over 10 Years



White Mountain 1 30 Trials Over 10 Years

